AN Alphabetical *ABRIDGEMENT*

Of the First *PARLIAMENT* of King *JAMES* the VII. Held in the Years 1685, and 1686.

AND

Of the *CONVENTION* of *ESTATES*, begun *March* 14. 1689.

And of the Four first SESSIONS of the First PARLIAMENT of King WILLIAM and Queen MARY.

And the other Two SESSIONS of King WILLIAM, after the Queen's Death.

Containing the Sum of the saids ACTS, with some *Observations* thereupon.

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B L

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AN

AN *Alphabetical* ABRIDGEMENT

Of the First *PARLIAMENT* of K. JA. *7th.* Held in the Years 1685, and 1686.

AND

Of the *CONVENTION* of *ESTATES*, Begun the 14*th.* of *March*, 1689.

And of the Four First *Sessions* of the First *PARLIAMENT* of K. *WILLIAM*, and Q. *MARY*: And the other Two *Sessions* of K. W. after the Queen's Death: containing the Sum of the saids ACTS, with some *Observations* thereupon.

A

ACTS of *Parliament*, and *Litiscontestation*. See Pursuer.

ACTS made in Favours of particular Persons, and Acts of Ratification, shall not prejudge any Third Party of their lawful Rights, nor of their

Actions and Defences Competent to them before the making of the ſaids Acts; and the Lords of *Seſſion* and other Judges are to Judge betwixt *Parties*, according to their ſeveral Rights ſtanding in their Perſons, before the making of the ſaids Acts, which are declared to be made *Salvo Jure Cujuſlibet*, *Act* 46. *Par.* 1. *Ja.* 7th.

The like Act, *Salvo*, is made, *Act* 32. *Par.* 1. *Seſ.* 2. *Ja.* 7.

Item, *The like Act* Salvo, *is ſubjoyned to every Seſſion of Parliament, but of different Tenors as after follows*, as Act *Salvo Jure*, declaring that what ever particular Acts are paſt, without calling or hearing of *Parties*, ſhall not prejudge any Third Party of their lawful Rights, *Act* 5. *Seſ.* 1. *Par.* 1. *W.* and *M.*

That no particular Acts, or Acts of Ratification, ſhal prejudge any Third *Party* of their lawful Rights, nor of their Actions, or Defences Competent thereupon, before the making of the ſaids Acts: And all Judges are Ordained to Judge according to *Parties* Rights, ſtanding in their Perſons before the making thereof; excepting from this Act *Salvo*, all ſuch Acts paſt in this Seſſion of *Parliament*; as by an expreſs Clauſe therein, are declared to be excepted from the ſaid Act *Salvo*, which is the 44. *Par.* 1. *Seſ.* 2. *W.* and *M.*

Act *Salvo Jure*, being the 5. *Par.* 1. *Seſ.* 3. *W:* and *M:* of the Tenor of that above-mentioned, *Seſ:* 2: *ejuſd.*

Item. There is another of the ſame Tenor, *Act* 45: *Seſ:* 6: *Par:* 1: K: *W.*

An general Act, Reſcinding ſeveral Acts of *Parliament*, as being now either uſeleſs, or found to be hurtful,

hurtful, as the *Act Char*: 2: *Par*: 1: *Sess*: 1: *chap*: 17: Anent an Anniversary Thanksgiving, Act 28: *par*: 1: *Sess*. 2: *W*: & *M*.

Item. For Denouncing Persons Excommunicat, and all others of that Import, and all Acts injoyning Civil pains against Persons Excommunicat. *Item*: Anent Religion, and the Test; *Item*: Asserting His Majesties Prerogative in point of Jurisdiction. *Item*, All the Acts following made by K. *Ja*: 7*th* 1: *Sess*: 1: *Par*; *Act* 2: Except in so far as concerns the Annexation of the Excise to the Crown, and Act 5: and almost all to the 42: both *inclusive*, *Ibidem*.

Item, These in the 2*d Sess*: of the said *Par*: Acts 1: 6, 7, 9, 13, 26, 27, 28: *Ibidem*.

ADDRESS.

AN Address made to the King's Majesty, That *Archibald* late Earl of *Argyle* may be for ever secluded from his Favour, And that he would be pleased to Declare, that his Family, the Heretors, and Ring-Leaders, who have Joyned with him in his Rebellion, should be for ever Declared Incapable of Mercy, Bearing of Honours, or Enjoying of any Estate within the Kingdom, And that all who shall Interpose for him, shall incur the Pain of Treason, *Act* 36. *Parl*. 1. *Sess*. 1. *Ja*. 7.

Nota, *This Act being dated* June 11. 1685, *was during his Invasion, and some days before his Defeat, And is Rescinded by the twenty fifth Act of the second Session of this Parliament*.

ADJOURN-

ADJOURNMENT.

ADjournment of the Meeting of *Eſtates*, to the fifth of *June*, in reſpect His Majeſty has Declared, He reſolves to turn them in a Parliament; and Appointed them to Require all the Members to be then preſent, *Act* 40. *Con.* 24. *May* 1689.

ADJUDICATION.

ADjudications, or Appryſings led, or to be led, for Fines impoſed, or to be impoſed by the Lords of Privy Council, Commiſſioners of Juſticiary, or any other Judges, for the Crimes of Reſet, Intercommuning, Concealing of Treaſon, Conventicles, Irregular Baptiſms, Marriages, or other Church Diſorders, where the Adjudication does not exceed, or ſhall be reſtricted to Lands, not exceeding the Value of the Fines: The Legals thereof ſhall expire within Year and Day, *Act* 26. *Parl.* 1. *Seſs.* 1. *Ja.* 7.

Item, In caſe of Competition betwixt the King or his Donator, and a Creditor, which by Law, being within Year and Day, comes in *pari paſſu*, The King or his Donator ſhall be preferred, and have his Election, for his Proportion of the Lands, Of which the Legal ſhall expire within Year and *Day* as ſaid is; That Proportion not exceeding the Sum contained in the Adjudication. *Ibidem.*

Item, The ſamen is only to be extended to Adjudications for Fines already impoſed, and betwixt and the next Seſſion of Parliament, *Ibidem. Which did thereafter ſit upon the twenty ninth of* Aprile, 1686.

Act

Act approving the Addreſs made to his Highneſs the Prince of *Orange*, by the Noble Men, and others at *London*, in *December* 1688, *Act* 6. *Conven. March.* 19. 1689.

ALIMENTS.

ALiments are appointed to be granted by the Lords, upon Actions to be intented before them ſummarly, without abiding the Courſe of the Roll, and are diſcharged to be granted upon Petition, *Act* 20. *Seſs.* 6. *Parl.* 1. *K. W.*

ANNEXATION.

ALL Offices of Juſtice-General, of the *Iſles*, and others, which belonged to *Archibald* late Earl of *Argyle*, are Annexed to the Crown, *Act* 40. *Seſſ.* 1. *Parl.* 1. *Ja.* 7.

Item, The half of the Wairds, Reliefs, *&c.* Eſcheats, *&c.* And of all Caſualities belonging to the King, or Prince, within the Shires of *Argyle*, and *Tarbat*, formerly Diſponed to the ſaid late Earl, and his Predeceſſors, are Annexed alſo to the Crown. *Ibidem.*

Item, The Patronage of all Kirks and Prebendaries, *Item*, The Conſtabularies of all Caſtles, and Profits thereof, *Item*, The Superiorities of ſeveral Lands therein-mentioned. *Ibidem.*

Nota, *The Act bears, this Annexation to be affected with all the Conditions expreſt in an former Act of Parliament, annexing the Lands of the Earl of* Tarras, *and Lord* Melvil: *Which muſt be a Miſtake, ſeing they are only annexed by the fourty two Act of the ſaid Parliament. Which is thereafter.*

Annexation of the Lands belonging to Sir *John Cochran*, and ſeveral others, to the Crown, who had been Forfaulted for Treaſon, before the Parliament, and Juſticiary, *Act* 42. *Parl.* 1. *Seſſ.* 1. *Ja.* 7.

Item, The ſamen are declared to remain Annexed to the Crown, in all time coming; and that the ſamen, or any part thereof, ſhall not, nor may be given away in Fee, *&c.* Or even in Tack, except for the full Duty, which may be gotten for, or payed by the Tennents, without Advice of the whole Parliament, and for Weighty, and Reaſonable Cauſes, concerning the Good, Wellfare, and Publick Intereſt of the whole Kingdom, firſt to be Adviſed by the Eſtates *re integra*, before any previous Grant, Right, or Deed be done, made, or given by His Majeſty, of the ſaids Lands, which may any ways predetermine him, or the Parliament, and prejudge the Freedom of their Deliberation and Conſent. *Ibidem.*

Item, If he ſhall at any time, Diſpone the ſamen, or any part thereof: It is Declared, that the general Narrative of good Services, *&c.* ſhall not be ſufficient, but the particular Cauſes are to be expreſt, for the Reaſons therein-mentioned. *Ibidem.*

The Lands of *Melfoord*, and *Murehall*, are Annexed to the Crown, as belonging to His Majeſty, by the Excambion made with the Viſcount of *Melfoord* thereof, with the Lands of *Ceſnock*, and *Duchall*, formerly Diſponed by His Majeſty, in favours of the ſaid Viſcount, by the firſt Act of this Seſſion of Parliament, *Act* 9. *Parl.* 1. *Seſſ.* 2. *Ja.* 7.

ANNU-

ANNUALRENTS, See *Retention*, See *Forfaulture*.

AN Offer made of an Additional Supply to Their Majeſties, of the ſixth part of all free Annualrents, and Annuities, for an year, payable within the Kingdom, to be uplifted at *Martinmaſs* 1690: Which Offer Their Majeſties accept, and ordain the ſame to be payed accordingly; and appoints the Methods for Diſcovering, and In-bringing thereof, which were formerly preſcribed by the firſt Act of Parliament 1633, *Act* 10. *Parl.* 1. *Seſſ.* 2. *W.* and *M.*

Item, It is Declared, the ſaids Annualrents ſhall be applyed for payment of what has been furniſhed to Their Majeſties Forces. *Ibidem.*

Nota, *This Act is Reſcinded, by the ſecond Act of the third Seſſion of the ſaid Parliament: And in place thereof, fourteen Shilling* Scots *is to be payed out of every Hearth, and three Moneths Ceſs out of the Land Rent.*

Nota, *The ſaids Acts are made by way of Offer, becauſe by the fourteenth* Act Parl. 1. Seſſ. 1. Cha. 2. in anno 1660, *there is fourty thouſand Pounds* Sterline, *to be payed to him, during his Life; out of the Cuſtoms and Exciſe: And it is Declared, by the thirteenth Act* ejuſdem, *that His Majeſty is to ſeek, nor impoſe, no more Ceſs, but accepts the ſame in Lieu thereof: Therefore, to ſave that Promiſe in the Act, the ſubſequent Impoſitions are always Conceived by way of voluntar Offer.*

Annualrents, are only to be Retoured to the Blench Duty, or other Duties, contained in the Infeftment, until Citation in the general Declarator, Act 42. *Parl.* 1. *Seß.* 2. *W.* and *M.*

Item, Perſons Forfault and Reſtored, are to be free of Annualrents, during the time they were Diſpoſſeſt of their Eſtates: As alſo their Cautioners, unleſs they have recovered all, or ſome part of their Rents; In which caſe, the Perſons Reſtored, ſhall be lyable, in ſo far as they have received, but not the Cautioners, Act 16. *Seß.* 5. *Parl.* 1. *K. W.*

Item, If the Party Reſtored, may recover all, or ſome part of his Rent, during the years he was Diſpoſſeſt; In which caſe, he ſhall have Eaſe of his Annualrents, upon his Aſſigning to his Creditors, with Warrandice from Fact and Deed, any Action he has to the ſaids Rents. *Ibidem.*

Item, Where before the Revolution, a Cautioner did actually pay without Colluſion, either Principal or Annualrents, the foreſaid Eaſe is no ways to be obtruded againſt the Cautioner. *Ibidem.*

Item, Where Perſons Reſtored, have made payment ſince the Revolution, of any Annualrents, for theſe years they were Diſpoſſeſt of their Eſtates; It ſhall be leiſum for them, to detain as much of the Principal, and Annualrents reſting in their own hand. *Ibidem.*

Item, Where the Debt is wholly payed, the Party Reſtored, ſhall have Action of Repetition, againſt his Creditor, for the Annualrents ſo payed by him, for the years he was Diſpoſſeſt. *Ibidem.*

Item,

Item, All Personal Execution is discharged, against the Persons restored, for payment of any principal Sums, due by them before their Forfaulture, until *Whitsunday* 1696. After which, Personal Diligence shall be competent against them; unless they dispone, and put the Creditors in Possession, of as much of their Estate, as will satisfie the Sums resting, at the ordinary Rate of the Countrey: And the Creditor is to have his Election; except as to the House, Parks, and Mains, Redeemable within the Space of five Years: And if the Creditor be Excluded from his Possession thereafter, It shall be leisom to him, to use all manner of Diligence, Personal, or Real, for Recovery of his Debt. *Ibidem.*

Item, Where a Person Restored Offering to Dispone, cannot Disburden the Lands of Real Incumbrances; so that he will be lyable to the Personal Diligence of Creditors after the Term foresaid: Then if he Demand the benefit of a *Cessio Bonorum*, the Lords are to grant the samen *in communi forma*, without Necessity of his being Imprisoned, or Wearing the Habit. *Ibidem.*

Item, Where Persons did Acquire Debts due by a Person Restored, they shall have Action only for the Sums truly payed out by them, and Annualrents. *Ibidem.*

APPEARAND HEIRS.

IT is Statute, That if any, since the first of *January* 1661, hath Served, or shall hereafter Serve himself Heir; or by Adjudication on his own Bond, hath, since the time foresaid Succeeded, or shall hereafter Succeed, not to his immediat Predecessor, but to one Remoter:

Then, in that Caſe, he ſhall be lyable for the Debts and Deeds of the Perſon Interjected, and to whom he was Appearand Heir, and who was in Poſſeſſion of the Lands and Eſtate, to which he was Served, for the Space of three Years; and that in ſo far as may extend to the Value thereof, only deducing the Debts already payed: As alſo with this Order, as to the time paſt, That all the true and lawful Debts of the Appearand Heir, entering as ſaid is, already Contracted, with the true and real Debts of the Predeceſſor to whom he enters, ſhall be preferred in the firſt place, *Act* 24. *Seſſ.* 5. *Parl.* 1. *K. W.*

Item, That if any Appearand Heir for hereafter (which is the 10. of *July* 1695.) ſhall, without being Served Heir, enter to poſſeſs his Predeceſſors Eſtate, or purchaſe himſelf, or any to his behove, any Right thereto, or to any Legal Diligence, otherways than by the ſaid Eſtate, it's being expoſed to Roup; and as the higheſt Offerer thereat, without any Colluſion, his foreſaid Poſſeſſion, or Purchaſe, ſhall infer an univerſal Paſſive Title. *Ibidem.* But this Clauſe is Reſcinded by the eleventh Act, Seſſion ſixth, of this ſame Parliament.

Item, It is Declared, that the Appearand Heir may bring the ſaid Eſtate to a Roup, whether he be Bankrupt or not. *Ibidem.*

Item, Where Rights and Diligences, affecting the Predeceſſors Eſtate, ſhall be ſettled in the Perſon of any near Relation, to whom the Appearand Heir may alſo ſucceed as Heir, the Appearand Heirs poſſeſſing by vertue of the ſaid Right, except it be purchaſed by Roup, ſhall not only be a Paſſive Title; But further, theſe Rights in the Perſon

Perſon of the ſaid near Relation, ſhall only be ſuſtained, as valid, to exclude the Predeceſſors Creditors, in ſo far as can be qualified, that theſe Rights were truly purchaſed for Sums of Money, and no further. *Ibidem.*

Item, That for hereafter, any Appearand Heir may enter to his Predeceſſors Eſtate, *cum beneficio Inventarii* allowing him ſtill Year and Day to deliberat, and make it up; which he is to do upon Oath, as to all particular Lands, Annualrents, and Heretable Rights, to which he pretends to ſucceed; and is to be Subſcribed before Witneſſes, and given to the Sheriff-Clerk, where the Lands ly. And which Inventar, the Sheriff, with the Clerk, ſhall alſo Subſcribe in Judgment, and Record the ſame; and all this within the Year and Day to deliberat: And within fourty Days after the Expiration of Year and Day, it is to be again Regiſtrat in the Books of Council and Seſſion. *Ibidem.*

Item, That the ſaid Heir, entering as ſaid is, ſhall only be lyable to his Predeceſſors Debts, *ſecundum vires Inventarii*, unleſs he have Intromett ed otherways than neceſſarily, for Cuſtody and Preſervation, before his giving in of the ſaid Inventar: Or if he Fraudfully omit any thing out thereof, Intromett ed with by him, in which Caſes he ſhall be univerſally lyable. *Ibidem.*

Item, If any part of an Heretable Eſtate, ſhall be, without Fraud, omitted to be given up: And ſhall not, in the mean time, be affected with the Diligence of Creditors; he ſhall have Liberty, ſo ſoon as he comes to the Knowledge thereof, to add within fourty Days thereafter, and to make an Eik thereof. *Ibidem.*

ARREARS

ARREARS See *Revenue.*

ARTICLES.

THe Articles are Diſcharged, and all the Acts made thereanent, Reſcinded, *Act.* 3. *Parl.* 1. *Seſſ.* 2. *W.* and *M.*

Item, That in place thereof, there be Committees Choſen, to conſiſt of what Number the Parliament pleaſes; being always equal out of every State to be Choſen, *viz.* The Noblemen by Noblemen, Barons by Barons, Burrows by Burrows, for preparing Overtures, which ſhall be firſt made in the Houſe; but prejudice always to the Parliament, to Conclude upon Matters proponed before them in plain Parliament, without Committees. *Ibidem.*

Item, That in all Committees, ſome of the Officers of State may be preſent, by Their Majeſties, or Their Commiſſioners Appointment, to Propoſe, and Debate allanerly, but not to Vote: Declaring, that no Officers of State, are to be Admitted otherways, in any Commitee; But prejudice always to the Nobility, to Chooſe any of their own Bench, who ſhall be Officers of State, to be Members of theſe Committees, if they think fit. *Ibidem.*

ASSEMBLY See *Confeſſion of Faith.*

ASSIGNATION See *Teſtament.*

ASSOCIATION.

ASSOCIATION.

THe Association, Owning King *William*, and Promising to Defend and Support his Person and Government, against the late King *James*, and the pretended Prince of *Wales*, and against all their Adherents. The Tenor whereof is set down, *Act* 3. *Sess.* 6. *Parl.* 1. *K. W.*

ASSURANCE.

THat all Persons, who in Law, are obliged to take the Oath of Allegiance: And all others, whom the Council shall think fit to put the Oath of Allegiance to, shall Subscribe the Assurance, and Certificat thereto Adjoyned, *viz.* That Their Majesties, King *William* and Queen *Mary*, are the only Undoubted Soveraigns, King and Queen of *Scotland*, as well *de Jure*, as *de Facto*, *Act* 38. *Parl.* 1. *Sess.* 2. *W.* and *M.*

B

BANKRUPTS.

BAnkrupts Lands may be Sold by an Decreet of Sale, so soon as it shall be found that the Debitor is Bankrupt, and utterly Insolvent, whether the Legal of the Adjudications, or other Diligences done against him be expired or not; And that notwithstanding of the 17 Act *Par:* 3: *Cha:* 2*d:* Requiring his Consent thereto, where the Diligence was not expired, Act 20: *Par:* 1: *Ses:* 2: *W:* and *M.*

Item,

Item, It is Provided that if no Buyer be found at the Rate Determined by the Lords of Seſſion, that it ſhal be leiſom to them to Divide the Lands amongſt the Creditors, according to their ſeveral Rights and Diligences. *Ibidem.*

Item, It is Declared, that in reſpect the Sale may be Obſtructed by the Donators of Liferent-Eſcheats: That therefore, the Lords are Impowered to Determine the Price thereof; and to Sell the Lands for Payment of the ſame, according as they ſhal be found to have preference. *Ibid.*

Item, That in all Actions of Sale of Bankrupts Lands upon the late Acts of *Parliament*; either Depending, or to be hereafter Raiſed; the Ranking of the Creditors, and others concerned ſhal proceed; and firſt be concluded by Decreet, at the leaſt to the Avail of the Price of the Lands, Found and Stated by the Lords of Seſſion, before the ſaids Lands be expoſed to Roup and Sale: This is the 26: *Article of the Regulations dated the* 29 *day of* April, 1695.

Item, It ſhal be lawful to the Purchaſer of Bankrupts Eſtates after the ſpace of one year from the Decreet of Sale; and ſuch as in time-coming ſhal obtain Decreet after the Term of *Whitſunday*, 1695, to Conſign the Price, or ſo much thereof as is in the hands of the Purchaſer *ultra*, what is payed to Creditors prefered thereto, by the Lords of Seſſion in the hands of the Magiſtrats, and Town Theſaurer of *Edinburgh* for the time, and allowed to be kept by them for a year after the next Term for Payment of 3 *per cent*: Act 6: Seſ: 5: *Par*: 1: *K*: *W*.

Item,

Item, The Purchaſer is allowed alſo to conſign, what part of the Price is retained upon the account of Liferents, he always Intimating the ſame to Creditors before Conſignation. *Ibid.*

Item, That the Purchaſer pay the Price to the Creditors, as they ſhal be prefered; or Conſigning the ſame, he ſhal be for ever exonered; and the Security given up to be Cancelled; and the Lands ſhal be Disburdened of all Debts of the Bankrupt, or his predeceſſors: And that the Bankrupt, his Heirs or Creditors without exception of Minority not Compearing, or conceiving themſelves prejudged, ſhal only have acceſs to Purſue the Receivers of the Price as accords *Ibid.*

Item, The Lords are to grant Warrand for Charging the Magiſtrats and Theſaurer of *Edinburgh*, to make payment of the Sums Conſigned to the Creditors, according to the Preference upon their Conſigning in the Clerks hands, Diſpoſitions to their ſeveral Rights. *Ibidem.*

Item, It is declared that Diligence done by Horning and Caption; and Inſolvency joyned with any of their Alternatives of Impriſonment, or fleeing, or abſconding, or forcible Defending; to infer a notour Bankrupt, and that from the time of his foreſaid Impriſonment, or fleeing, abſconding, or forcible Defending, Act 5: *Seſ:* 6: *par:* 1: *K: W.*

Item, All Deeds done after his becoming Bankrupt as ſaid is, or within the ſpace of 60: days before in favours of any of his Creditors; either for their Satisfaction or Security in preference to other Creditors to be void and null. *Ibidem.*

Item,

Item, It is declared, that all Rights granted by him, whereupon Infeftment is to follow, ſhal only be reckoned as to this caſe of Bankrupt to be of the date of the Seaſin taken thereon. *Ibidem.*

Item, Where Rights are granted for Relief, or Security of Debts to be Contracted, ſhal for the future be of no Force, as to any Debts Contracted after the Seaſin. *Ibidem.*

Item, If any perſon ſhal be found by the Lords to be a fraudulent Bankrupt, he ſhal not only be held *infamous infamia juris*; but alſo by them puniſhed as they ſhal think fit, Death excepted. *Ibidem.*

Item, The Lords are Diſcharged to Diſpenſe with the Habit, except it be Libelled and proven that he became *Lapſus* by Misfortune. *Ibidem.*

BAPTISM See *Marriage.*

BARK.

THe conſtant meaſure of *Bark* ordained to be as follows, *viz.* 22: Gallons ſhal be the Meaſure of one Boll of unbeatten Bark, and ſo proportionally. And the *Linlithgow* Barley Meaſure ſhal be the Meaſure for all ſmall beatten malluie Bark: Diſcharging all other Meaſures under the pain of 100 *lib: Scots, toties quoties*, beſides the Forefaulture of the Bark, Act 30: *par*: 1: *Seſ*: 2: *Ja*: 7*th.*

BILLS

BILLS *within-Land.*

THat the ſame Execution ſhal paſs upon In-Land Bills and Precepts, as is provided to paſs upon Forraign Bills by the 20: Act, 3 *par*: *cha*: 2: Held in *anno*, 1681, Act 36: *Seſ*: 6: *par*: 1: *K*: *W*.

BISHOPS. See *Clergy.*

ACT Ordering Quartering for the Biſhops Rents in the Bounds of the Synod of *Argile*, and the *Iſles*, Act 10: *Seſ*: 4: *par*: 1: *W*: and *M*.

BLANK-WRITS.

THat no Writs hereafter be Subſcribed Blank in the Perſons Name, in whoſe Favours they are conceived; and that the ſaid Perſons Name be either Inſert before, or at the Subſcribing; or at leaſt in preſence of the ſame Witneſſes to the Subſcribing before Delivery: otherways, it's declared Null, Act 25: *Seſ*: 6: *par*: 1: *K*: *W*.

BLASPHEMY.

WHo ever ſhal by Writing or Speaking Deny or Impugne the Beeing of GOD, or the Trinity; or the Authority of the Scriptures, or GOD'S Provideuce of Governing the World, ſhal for the firſt Fault be Puniſhed with Impriſonment, until he give publick Satisfaction in Sackcloth within the Congregation

where the ſamen was Committed; and for the Second ſhal be Fined in a Years valued Rent; and the Twenty part of his Perſonal Eſtate; the one half to be applyed to the Poor in the Paroch, the other to the Informer; and this beſides his being Impriſoned, and giving Satisfaction as ſaid is: And for the Third Fault, he ſhal be Puniſhed with Death, Act 11: *Seſſ*: 5: *par*: 1: *K*: *W*.

BOOK-WAYS.

THat it ſhal be leiſum after the 9*th* of *October* 1696, for any Perſon to Write any Right or Security by way of Book, either in Folio or Quarto; every *page* being Marked by the Number, and Signed; and that the End of the laſt *page* make mention how many *pages* are therein contained; in which *page* only, Witneſſes are to Sign where they are requiſite by *Law*, Act 15: *Seſſ*: 6: *par*: 1: *K*: *W*.

BRANDY, *and Exciſe thereof.*

IT is declared, that Six ſhilling *Scots* upon the *pint* of *Brandy* Impoſed by the Act of *Parliament* in *December*, 1673, ſhal only be payable by Tappers, and Retailers in Smalls, who ſhal Sell by *Pints* and *Gills*, and by no others, Act 21: *Seſs*: 5: *par*: 1: *K*: *W*.

BREWING

MAking uſe of Salt in Brewing, whether in waſhing of their Veſſels, or any other manner

manner of way Prohibited, under the pain of Confiscation of the Vessels, and all the Liquor found therein, attour the loss of his Freedom, if a Burges; and if he be not of his being uncapable to use the Trade in all time thereafter, whether he be Burges or not, Act 43: *Sess: 6: Par.* 1: *K. W.*

Item, The Looms are to be given to the Informer, who shall be free from Penaltie, albeit he had been a Servant, or Accomplice therein. *Ibidem.*

BRIDGES. See *Ways.*

BURGHS.

THe Importing of all Forraign Commodities, either by Sea or Land, shall belong to the Freemen Inhabitants of the Royal Burrows allenarly; except Cattel, Horse, Sheep, and other Bestial; and likeways excepting such Commodities as Noblemen and Barrons shall Import for their own use: And that the Exporting by Sea, of all Native Commodities shall belong only to the said Freemen; but prejudice to Noblemen and Barrons, to Export as much of the Native Product as may answer to the Value of the Commodities Imported by them for their own use, Act 12: *par:* 1. *Sess:* 2: *W:* and *M.*

Item, It is Declared, that all the Leidges may Transport by Land, all the Native Commodities thereof. *Ibid.*

Item, That the Inhabitants of Burghs of Regality, and Barronies may Trade in all Native Commodities;

modities: And alſo, may Retail Forraign Commodities, providing they Buy the ſame from Freemen of Royal Burrows, bearing *Scot* and *Lot* therein. *Ibid.*

THe Burgh of *Greenlaw*, declared to be the Head Burgh of the Shire of *Berwick*, Act 16: *Seſs*: 6: *par*: 1: *K*: *W*.

Item, That notwithſtanding of the 5: *Act* of the 3*d*: *Seſſion* of this *Parliament*: It is now Declared that nothing contained in that *Act* anent the Packing and Curing of Salmond, ſhall any ways prejudge the Rights of any Burgh of Regality, or Barrony; But that the Priviledges, and long preſcrived Poſſeſſion of all Burghs are underſtood to be therein Reſerved, Act 12: *Seſſ*: 6: *par*: 1: *K*: *W*.

Item, That for preveening the Mal-adminiſtration of the Common Goods of Burrows; Their Majeſties will grant Commiſſion to Enquire into the Condition thereof; and how the ſame hath been heretofore, or ſhall be hereafter Employed; and that the Sentence of theſe Commiſſioners ſhall have the Effect of one of Exchequer, Act 29: *Seſſ*: 4: *par*: 1: *W*: and *M*.

Item, That it ſhall not be lawful for Magiſtrats to Contract any Debt, or give Bond therefore, without an previous Act of full Council, condeſcending upon the Cauſes, and Uſes for which the ſaids Debts were Contracted; otherways, the Subſcribers ſhall be Perſonally Lyable; and they and their Heirs Bound to Relieve the Town thereof; but prejudice always to the Security of the Creditors. *Ibid.*

BURYING

BURYING.

THat no Corpſe whatſomever ſhall be Buried, but in plain Linen Cloath made within the Kingdom, without Poynt or Lace; and that under the Penaltie of 300 *lib. Scots, toties quoties*, for a Nobleman; and 200 *lib.* for each other Perſon, the one half to the Diſcoverer, and the other half to the Poor of the Paroch, where the Corpſe is Interred, Act 16: *Par:* 1: *Seſſ:* 2: *Ja:* 7*th.*

Item, For Diſcovering the Contraveener, the Miniſter within each Paroch ſhall keep a Book, containing an Account of all Perſons Buried within the ſame; and unleſs there be Certificats brought to him in Writ upon Oath within Eight days, that the Defunct was Wrapt as ſaid is; In that caſe the Defuncts Moveables ſhall be Purſued for, at the Inſtance of the Miniſter as Confiſcat. *Ibidem.*

Item, If the Miniſter ſhall be negligent for ſix Moneths atter the ſaid Burial, he is Declared Lyable for the ſaid Fine, the one half to the Poor, and the other half to the Diſcoverer. *Ibidem.*

Item, That the higheſt rate of Wooden Coffins ſhall not exceed 100 *merks* for the Perſons of Greateſt Quality, and ſo proportionally under the pain of 200 *merks*. *Ibidem.*

The Fourteenth Act of the Parliament, 1686, for Burying in *Scots* Linen, Ratified with this Addition, that the Linen ſhall not be above 20 *ſ. Scots* in value: And this alſo, that the neareſt

Elder or Deacon of the Paroch, with a Neighbour or two be called by the Persons concerned, and present to the putting the Corpse in Coffine, and give the Subscribed Certificat mentioned in the foresaid Act, under the pains (in case of Neglect) contained therein, Act 35: *Sess:* 5: *Par:* 1: *K: W.*

C

CATTEL. See *Victual.*

CAUSES *Concluded.*

THat all Depositions of Parties, which are to be Marked by the Lord Examinator, to be clearly Affirmative, or Negative, be advised summarly, without abiding the Course of the Roll, Act 17. *Sess.* 4. *Par.* 1. *W.* and *M.*

Item, That there be an Ordinar appointed Weekly, for Hearing Parties upon Concluded Causes, conform to the Order of the Roll thereof; and who shall make Report in Writ of the Probation; and Mark the particular parts of the Oaths or Writs insisted on for either Party; which Report is to lye a Week in the Clerks hands before advising, and to be Patent to all Parties having Interest, and then to be brought in, and Advised by the Lords each *Saturday*, or other Afternoons as they shall think fit. *Ibid.*

CAUTIONERS,

CAUTIONERS.

THat who ever is Bound for another in Bonds for Sums of Money, ſhall be Obliged thereby, for no longer than Seven years after the Date of the Bond; And from, and after the ſame, the ſaid Cautioner ſhall be *ipſo jure*, free, Act 5: *Seſſ*: 5: *Par*: 1: *K*: *W*.

Item, All are underſtood to be Cautioners, who have either Clauſes of Relief in the Bond, or a Bond of Relief a part, Intimat Perſonally to the Creditor at his receiving the Bond. *Ibid*.

Item, It is provided, that all legal Diligence done within the ſaid Seven years, by the Creditors againſt the Cautioners, for what fell due within the ſaid time, ſhall ſtand good as if this Act had not been made. *Ibid*.

CESS. See *King*, See *Supply*.

CHARTERS.

THat Charters granted by Subaltern Superiors may bear a Clauſe of Regiſtration, but only to be done in the Books of Council and Seſſion, *Act*: 35: *Seſſ*: 4: *Par*: 1: *W*: and *M*.

CHURCH *and Intruding therein*.

THat who ever ſhall Intrude themſelves into any Church, Poſſeſs Manſe, or Benefits, or Exerciſe any part of the Miniſterial function

ction within any Paroch without an orderly Call from the Heretors and Elders; and Admiſſion from the Presbytery, ſhall be uncapable of enjoying any Kirk or Stipend within the Kingdom for the ſpace of Seven years after Removal from the Church, *Act 22: Seſſ: 5: Par: 1: K: W.*

Item, The Execution of the ſaid Act is remitted to Sheriffs, Stewarts Baillies, & to Magiſtrats of Burghs, upon Complaint of the Presbytery; and that upon Ten Days Warning, Letters of Horning and Caption to be direct upon their Decreets *in communi forma. Ibid.*

Item, All Miniſters that were at the time of His Majeſties Acceſſion to the Crown, actually Serving in Paroches, and no Sentence of Depoſition againſt them, and have not yet Qualified themſelves by taking the Oath of Alledgeance and Aſſurance, are allowed a new farder Day, *viz.* the Firſt of *September*, 1695, to come in and take the Oath of Alledgeance, and Subſcribe the Aſſurance, and that before any Judges therein-mentioned, *Act 27: Seſs: 5: Par: 1: K: W.*

Item, Upon Certificat returned to the Council, anent their Qualifieing themſelves as ſaid is; It is Declared that they ſhall have His Majeſties Protection (they behaving as becometh Miniſters) as to the enjoyment of their Kirks and Benefices, they containing themſelves within the Limits of their Charge and Paroch, without offering to Exerce any Power, either of Licenſeing, or Ordaining Miniſters, or any part of the Government, unleſs that they be firſt duely aſſumed by a competent Church-Judicatory. *Ibidem.*

Item, It is Declared, that ſuch as ſhall not come in betwixt and the ſaid Day, are by the Force of the ſaid Act *Ipſo Facto* Deprived of their Kirks and

and Stipends; and the ſame Declared Vacand without any furder. *Ibidem.*

Item, That whatever Miniſter ſhall upon Application be Judged fit to be aſſumed by any competent Church-Judicatory; the foreſaid Miniſter ſhall upon a Certificat thereof from the Judicatory be allowed to Qualifie himſelf by taking the Oath of Alledgeance, and Signing the Aſſurance, albeit the ſaid Firſt of *September* be elapſed. *Ibidem.*

Item, That no Perſon be admitted Miniſter of any Church, unleſs he take, and Subſcribe the Oath of Alledgeance and Aſſurance, and Confeſſion of Faith; and that he owns the Doctrine therein contained to be true, and Presbyterian Government, as Eſtabliſhed by the 5. *Act*, 2. *Seſſ.* of this *Parliament*, to be the only Government of this Church, and that he will Submite thereto, and never endeavour the Subverſion thereof, *Act* 23. *Seſſ.* 4. *Par.* I. *W.* and *M. June* 12. 1693.

Item, That all ſuch Miniſters as are in Kirks, and not yet Admitted to the Exerciſe of the ſaid Government; and who ſhall Qualifie themſelves as ſaid is, and ſhall apply in an Orderly way to the Church-Judicators competent, ſhall be received to partake therein. *Ibidem.*

But this is not to be granted, but with the Proviſion, that they be neither Scandalous, Erroneous, nor Inſufficient.

Item, That the Number of Miniſters to be ſent to Aſſemblies, out of every Presbytery, be but only proportional to the Number of Paroches therein. *Ibidem.*

CITATIONS

CITATIONS. See *Execution.*

PAnnels, in Priſon for Treaſon, ordained to be Cited upon fourty eight Hours; but approving, the Lords of Juſticiary their Procedure, formerly uſed upon twenty four Hours: But if the Pannels repreſent ſuch Defences, within the ſaid time of fourty eight Hours, as may need an Exculpation, allows the Lords of Juſticiary to delay the Tryal, until the Days elapſe, to which the Exculpation is granted, *Act* 3. *Parl.* 1. *Seſſ.* 1. *Ja.* 7.

A Ratification of the Practice of Circuit Courts, in Citing Perſons, even for Treaſon, upon Porteous Rolls, by Meſſengers, or Sheriff Officers, and not by Heraulds, or Purſevants; Becauſe of the Circumſtance of Time and Place, and Number of Pannels: And Declaring it lawful ſo to do for the future; providing, that in Caſes of Treaſon, the Meſſenger, or Officer and Witneſſes, ſhall Depone upon the Verity thereof, *Act* 29. *Seſs.* 1. *Parl.* 1. *Ja.* 7.

Item, All Summonds, to be raiſed againſt the Inhabitants of *Orkney* and *Zetland*, before the Lords of Privy Council, Seſſion, or Juſticiary, and Letters of Horning and Lawburrows, upon their Decreets, or by their Warrand, ſhall be execute on fourty Days; but prejudice always, of Letters raiſed upon Writs Regiſtrat of Conſent of Parties: Where the Party Conſents, that Execution ſhall paſs upon ſhorter time, *Act* 43. *Seſs.* 1. *Parl.* 1. *Ja.* 7.

Item,

Item, That Citations before the Parliament, in Proſecution of Proteſts for Remeid of Law, be granted on a Bill containing the Complaint, ſigned by the Party himſelf, or an Advocat for him, and by one of the Clerks thereof, and preſented before the Sitting of the Parliament, to any Officers of State; or the time thereof, to the Chancellor, or Preſident, or any of the ſaids Officers, the ſame may, by them, be paſt in Courſe, *Act* 2. *Seſſ.* 5. *Parl.* 1. *K. W.*

Item, As to all other Cauſes, that Warrands for Citation, ſhall either be granted by Deliverance of Parliament, in time thereof, or of the Lords of Seſſion (upon a ſummar Citation, without abiding the Courſe of the Roll) *in preſentia*, and that in the Interval of Parliament, upon a Bill containing, ſubſcribed, and preſented as ſaid is: And thir Warrands being granted, then Summonds in His Majeſties Name, ſhall thereon be Directed, to compear, upon the Dyets therein-mentioned, with Continuation of Days, before the Parliament. *Ibidem.*

Item, There is therein ſet down, the Days that each Perſon is to have, according to his Reſidence, and the particular Forms to be uſed in that Proceſs. *Ibidem.*

Item, That all Citations, in time coming, may be at one time, for the firſt and ſecond Dyets; providing the ſame be done by a Meſſenger, *Act* 12. *Seſſ.* 4. *Parl.* 1. *W.* and *M.*

Item, That all Copies of Summonds, Charges, *&c.* bear at length, and not in Figures, the Date of the Delivery thereof, and Names and Deſignations of the Witneſſes. *Ibidem.*

CLAIM

CLAIM of RIGHT.

DEclaration of the Eſtates, and Offer of the Crown to Their Majeſt es, *William* and *Mary*, King and Queen of *England*, *Act* 13. *Conv. Aprile* 9. 1689.

CLERGY.

A Ratification of the ſeveral Acts, made for the Security of the Perſons of the Clergy: And further, Ordaining, that whoſoever ſhall Aſſault the Lives of Biſhops, or Miniſters, or Invade or Rob their Houſes, or actually Attempt the ſame, ſhall be puniſhed with Death and Confiſcation, *Act* 37. *Seſſ.* 1. *Parl.* 1. *Ja.* 7.

Item, If any Regular Miniſter ſhall be Aſſaſinated, or Murdered; The Parochioners where he is Aſſaſinated, ſhall pay ſuch Sums, as the Privy Council ſhall determine, for the Uſe of his Wife and Children; and failzieing theſe, to his neareſt of Kin: And the Regular Parochioners are to be relieved thereof, by the Irregular, or others, who ſhall be proven to have had Acceſſion thereto. *Ibidem.*

Item, Any who ſhall commit Slaughter, or Mutilation, in Apprehending ſuch Aſſaſinats, are fully Indemnified thereof. *Ibidem.*

Item, All former Laws, Reſtoring the Church to its Government by Arch-Biſhops, Biſhops, *&c.* are Ratified, *Ibidem.*

CLERKS

CLERKS. See *Registration*, See *King*.

COLLEDGE of JUSTICE. See *Judges*, See *Interloquitors*.

A Ratification of the Priviledges, &c. of the Senators of the Colledge of Justice, and all Acts of Parliament made thereanent; and especially of the *eight Act, Session second, Parliament second*, Charles *the second*, *Act* 19. *Sess.* 1. *Parl.* 1. *Ja.* 7.

COMMISSARS. See *Testament*.

COMMISSION.

COmmission appointed for Regulation of Judicatories, and Abuses therein, *Act* 34. *Sess.* 4. *Parl.* 1. *W.* and *M.*

Item, The *Quorum* of the Commission for Visitation of Colledges and Schools, ordained to be eleven, in place of the major part formerly appointed, *Act* 41. *Sess.* 4. *Parl.* 1. *W.* & *M.*

Item, That seven, whereof one of every State, shal be a sufficient *Quorum* of the Commission for Plantation of Kirks; who being present at the down Sitting, the Withdrawing of one, or more of any of the three States, shal not break the *Quorum*, seven of the Commissioners of the other States being present, *Act* 18. *Sess.* 5. *Parl.* 1. *K. W.*

Item, The Preſence of one, or more of the Officers of State, is not neceſſary to conſtitute the foreſaid *Quorum*. *Ibidem.*

Item, They are to meet every *Wedneſday* in the Afternoon, during the Sitting of the Seſſion. *Ibidem.*

Item, The Commiſſion appointed for Securing of the Peace in the *High-Lands*, by the thirty ſeventh Act of the fifth Seſſion of this Parliament, Prorogat for one Year further, after the elapſing of the three Years therein-mentioned, *Act* 40. *Seſſ.* 6. *Parl.* 1. *K. W.*

COMMISSIONERS of Parliament, and of Ceſs and Supply, and Collectors thereof, and what their Duty is. See *King.*

THat in all Parliaments, and other Meetings to be holden hereafter, there be an Additional Repreſentation made of the Number of Commiſſioners, for the particular Shires therein-ſpecified: And that in reſpect the Inequality of Repreſentation of Shires in Parliament, was given in as a Grievance. And that by the 10. *Act Parl.* 1. *Ja.* 1.

Item, The Barrons are allowed to ſend out of the Shire, two or more Commiſſioners, according to it's Largeneſs: And which is alſo Ratified, *Act* 114. *Ja.* 6. *Parl.* 11; *Act* 11. *Parl.* 1. *Seſſ.* 2. *W.* and *M.*

COMMITTEE

COMMITTEE.

COmmittee Elected for Settling the Government, *Act* 10. *Conv: March* 24. 1687.

COmmittee of the Estates Nominat to Sit, for Manadgeing the Publick Affairs, during the Adjournment of the Convention, *Act* 32. *Conv: Aprile* 29. 1689.

Item, The said Convention Adjourned until *May* 21. 1689, *Act* 36. *Conv. Aprile* 29. 1689.

COMMONTIES.

THat all Commonties, except these belonging to the King and Royal Burrows, may be divided at the Instance of any having Interest, by Summonds raised against all Persons concerned, before the Session, who are to determine the Relevancy, and Point of Right: And to grant Commissions to Inferiour Judges, for Perambulating, and taking all necessar Probation, to be Reported to the Lords, and finally Determined by them, *Act* 38. *Sess.* 5: *Parl.* 1. *K. W.*

CONFESSIONS.

COnfessions of Parties, Indited for Grand Treason, emitted before the Lords of Justiciary sitting in Judgment, and Signed by the Pannel, or the saids Judges, where the Pannel owns the Confession; and yet, either cannot, or refuses to Sign, shal be considered as a Judicial Con-

feſſion, and Probative, notwithſtanding of the 90. *Act Parl.* 11. *Ja.* 6. And this Act to endure, and be of Force, only to the next Seſſion of Parliament, *Act* 10. *Parl.* 1. *Seſs.* 1. *Ja.* 7.

Item, If the Aſſizers ſhal Aſſoilzie, notwithſtanding of ſuch Confeſſions, they ſhal be lyable for Error. *Ibidem.*

THe Confeſſion of Faith, made at *Weſtminſter*, Ratified, and Presbyterian Church Government Settled and Eſtabliſhed, *Act* 5. *Seſſ.* 2. *Parl.* 1. *W.* and *M.* Bearing the ſaid Confeſſion to have been Read in their Preſence, and Voted and Approven of by them, as the Avowed Confeſſion of the Church, and Government of the ſame, as it was Eſtabliſhed *in anno* 1592. *Act* 114. *Ja.* 6. *Parl.* 12. Reviving and Renewing the ſaid Act, except as to Patronages. *Ibidem.*

Item, All Acts that are prejudicial to, and Inconſiſtent with, or Derogatory from the Proteſtant Religion, and the ſaid Government, are Reſcinded: And in ſpecial, the many Acts therein-mentioned. *Ibidem.*

Item, The ſaid Government is to be Exerciſed by theſe Presbyterian Miniſters, who were Outted ſince the firſt of *January* 1661, for Non-Conformity. *Ibidem.*

Item, The firſt General Aſſembly of the Church ſo conſtitute, is to meet at *Edinburgh* the firſt *Thurſday* of *October*, 1690. *Ibidem.*

Item, Where any Kirks were Vacant, either by Deſertion of the Incumbent, or Removal preceeding the thirteenth of *Aprile* 1689, or who are

are Deprived, for not Obeying the Proclamation made to Pray for Their Majesties *William* and *Mary*, are Declared to be Vaccant: And the Presbyterian Ministers, Exercising their Ministry by Desire of the Paroch, shal have Right to the Stipends, according to their Entry in the Year 1689, and in time coming. *Ibidem.*

Item, The General Meeting of the Presbyterian Ministers, and their Elders, are allowed, either by themselves, or Committees from them, to Purge out all Insufficient, Scandalous, and Erroneous Ministers, by Process, as accords. *Ibidem.*

CONFORMITY and NON-CONFORMITY.

A General Act, Rescinding all the former Laws made for Conformity, from the *Act* 4. *Cha.* 2. *Parl.* 1. *Sess.* 2. to the *Act* 24. *Ja.* 7. *Parl.* 1. *Sess.* 1. both inclusive: And generally, all Acts made since the Year 1661, against not Conformity to the Government of Bishops, *Act* 27. *Parl.* 1. *Sess.* 2. *W.* and *M.*

CONTRIBUTION.

A Contribution appointed to the *Irish* and *French* Protestants, *Act* 34. *Convent. Aprile* 29. 1689.

CONVENTICLES.

ALL who shall Preach at Phanatical House or Field Conventicles, are to be Punished by Death: as also, the Hearers at Field

Conventicles by the said Punishment and Confiscation of their Goods, *Act* 8. *Par.* 1. *Sess.* 1. *Ja.* 7th.

COVENANT.

THe giving, or taking the National-Covenant, as Explain'd in the Year, 1638; Or the League, and Covenant, or Writing in Defence thereof, or owning of them as lawful, or Obligatory shall Inser the pains of Treason, *Act* 5. *Sess.* 1. *Par.* 1. *Ja.* 7th.

COYNAGE *of Money.*

AN Offer to His Majesty, of an Impostion Upon certain Commodities for defraying the Expense of a free Coynage, *viz.* 12. *sh. Scots* for each ounce of Bullion Imposed by the Act, 8. *Sess.* 1. *Par.* 2. *Cha.* 2d. upon the several Commodities therein specified, *viz. Spanish, Rhenish* Brandy, and *French* Wines; and other Commodities therein mentioned, to be payed unto the Tacksmen, or Collectors of the Customs by the Importers of the saids Goods, Rescinding that part of the said 8: Act, whereby the Bullion was to be payed unto the Officers of the *Mint*, for which the saids Collectors are to Compt yearly in Exchequer; and which is Annexed to to the Crown for ever, for Defraying of the said Expense; and paying of the Officers of the *Mint*, which is only set apart for that Effect, *Act* 24: *Sess.* 2: *Par.* 1: *Ja.* 7th.

Item, There are Rules set down for Ordering the *Mint*, and the several Species to be Coyned, with the Officers Fees at full length. *Ibid.*

COYNING

COYNING *and Clipping of Money.*

WHoever ſhall be Guilty, Airt, or Part of Coyning falſe Money; or of Clipping, Waſhing Rounging, Razing, Fyling, or any other manner of way, Diminiſhing, or Falſifying any of the Coyn of this Kingdom, or allowed to be current within the ſame; or that hereafter ſhall be ſuch, ſhall be puniſhed with Death; and Confiſcation of Moveables, *Act* 42. *Seſſ.* 6. *Par.* 1. K. *W.*

D

DEATH-BED.

THat it ſhall be a ſufficient Defence againſt the Raiſers of Reduction upon the Head of Death-Bed; That the *Perſon* Lived for the ſpace of 60. Days after the doing of the Deed, albeit he went not to Kirk nor Mercat, but Prejudice always, to Reduce the ſaids Deeds; if it ſhall be Proven that the Perſon was ſo Affected by the Sickneſs the time of doing the ſaids Deeds, that he was of ſound Judgement, *Act* 4. *Seſſ.* 6. *Par.* 1. *K. W.*

Item, As to all Rights already made in time of Sickneſs before the ſaid Act, the Lords are to Determine, as formerly. *Ibid.*

DEFENCE.

ACT for putting the Kingdom in a Poſture of Defence, *Act* 4. *Convention, March* 19. 1689.

DEPREDADTION

DEPREDATION. See *Robberie.*

DESCRIPTION *Geographical.*

THe Geographical Deſcription of the Shires within the Kingdom; and the Hydrographical of the Coaſts, Iſles, Creicks, *&c.* being not only Honourable, but neceſſary to prevent Shipwrack: And *John Adair* having ſignified both his Skill, and willingneſs to perform the ſame upon allowance of his Expenſe. Therefore, it is Enacted towards the defraying of his Expenſe, that there be an Impoſition upon all Forraign Ships, and others, to be uplifted according to the manner and quantity preſcibed in the ſaid Act, to be payed unto the ſaid *John*, *Act* 21. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th.*

Item, He is recommended unto the particular Shires, that when he ſhall come to Survey the ſame, that there be an Encouragement given him for his Expenſe as ſaid is, *Act* 21. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th.*

Nota, *That as to the laſt part, there is nothing but a ſimple Recommendation to the Shires, without any Command.*

DISSOLUTION.

ALL the Lands of *Ceſſnock* and *Duchal*, formerly annexed to the Crown by the *Act* 42. *Seſſ.* 1. *Par.* 1. *Ja.* 7*th* dated *June* the 16. 1685. are Diſſolved therefrom, and Diſponed to the Viſcount of *Melfoord*, not only for his Services done to the Crown and Government;

ment; but alſo in Excambion of ſeveral Lands therein-mentioned, belonging to the ſaid Viſcount, *Act* 1. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th*, dated *May* 18. 1686.

The Lands of *Torwoodlie*, formerly annexed to the Crown by the 42 *Act* of the *firſt Seſſion* of this *Parliament*, are Diſſolved therefrom, to be Diſponed in favours of General *Drummond*, *Act* 7. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th*.

Diſſolution in favours of the Duke of *Gordon*, of the Barrony of *Mellerſtons*, and others, which belonged to Mr. *Robert Baillie* of *Jerviſwood*; and which were annexed to the Crown by the 42 *Act* of this *Parliament*, *Act* 13. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th*.

Diſſolution of the Lands of *Grange* in favours of Sir *Thomas Kennedy* Lord Provoſt of *Edinburgh*, *Act* 27. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th*.

Diſſolution of the Eſtate of *Earlſton*, *Craichlaw*, and *Kelloch* from the Crown, in favours of Colonel *Ogilthrop*, Lieutennent *Main*, and *Henry Cornual* *Engliſh* Men, *Act* 26. *Par.* 1. *Seſſ.* 2. *Ja.* 7*th*.

Diſſolution from the Crown of the Lands of *Cultneſs*, *North-Berwick*, and others in favours of the Earl of *Arran*, Act 28. *ejuſdem*.

Diſſolution of the Lands of *Robertoun*, and others, in favours of the Earl of *Tarras*, formerly annexed to the Crown, upon the Forfaulter of the ſaid Earl, *Act* 29. *ejuſdem*.

Diſſolution of all Lands from the Crown, which Held not immediately of the King, *Act* 5. *unprinted*, *Parl.* 1: *Seſſ.* 2. *Ja.* 7*th*.

Diſſolution of the whole Lands Forefaulted, and annexed to the Crown during the Reign of K. *Ja.* 7*th*.

7th. by the 42. *Act* of his *first Parliament*, Anno, 1685, are Diſſolved therefrom, and all Acts of Annexation thereof Reſcinded, *Act* 19. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Item, It is thereby Declared, that ſeing this Diſſolution proceeds upon the Clame of Right, it ſhall be als valid, as if it had all the Conditions and Qualifications preſcribed by Law, as requiſite to the Acts of Diſſolution heretofore. *Ibid.*

DUELLS.

THat whoſoever, Principal or Second, or other Interpoſed Perſon gives a Challenge to Fight a Duell; or whoſoever accepts the ſame, albeit no Fighting enſue, ſhall be Puniſhed by the Pain of Baniſhment; and their Moveables Eſcheat, but Prejudice of former Acts made thereanent, *Act* 35. *Seſs.* 6. *Par.* 1. *K. W.*

E

EDINBURGH.

THe Magiſtrats of *Edinburgh* are Ordained to lay down ways for keeping of the City and Suburbs clean; and to Purge the ſame of Beggers, which Repair in, and about the ſame, under the Pain of 1000 *merks* yearly, to be payed by the Magiſtrats in Office, to the Lords of Seſſion, who are to Apply it to the End foreſaid, *Act* 12. *Seſs.* 2. *Par.* 1. *Ja.* 7*th.*

Item, The Magiſtrats who ſhall be found Negligent, ſhall have no Relief of the ſaid Fine. *Ibid.*

Item,

Item, The Lords of Seſſion, with Advice of the Magiſtrats, are to Impoſe Taxes upon the Inhabitants, and others for that Effect. *Ibidem.*

ESTATES.

THe Meeting of the Eſtates upon *March* the 16. 1689, Declared to be a Free and Lawful Meeting, *Act.* 2. *Conv.* Anno, 1689.

EXCISE.

THe Exciſe of Inland, and Forraign Commodities granted to *K. Cha.* 2*d.* by the 14. *Act* of the *Par.* 1661, during his Lifetime; and Prorogat by the 8. *Act* of the *Parliament* 1681, for 5. years thereafter, is now Annexed to the Crown in Property, in all time coming, *Act* 4. *Par.* 1. *Seſs.* 1. *Ja.* 7*th.*

EXECUTION.

ALL Executions of Citations before the Lords of Seſſion, or any other Judges, Civil or Criminal, which formerly, by Law or Cuſtom needed to be in Writ: And alſo, all Executions of Letters of Horning, Inhibition, and others whatſomever, muſt be Subſcribed by the Executer, and Witneſſes; otherways to be null, and void, and the ſamen ſhall not be Quarrelable for want of Stamping, *Act* 4. *Par.* 1. *Seſs.* 2. *Ja.* 7*th.*

EXECUTORY.

EXECUTORY.

THat where a Moveable Eſtate falls to the Neareſt of Kin who lyes out, and does not Confirm the Creditors of the ſaid neareſt of Kin, may either require the Procurator-fiſcal to Confirm and Aſſign to them under the Pain of being Lyable for the Debt; or they may obtain themſelves Executors, Decerned to the Defunct, as if they were Creditors to him, *Act* 41. *Seſs.* 5. *Par.* 1. *K. W.*

Item, It is thereby Provided, that the Creditors of the Defunct doing Diligence within Year and Day, to Affect his Moveables, ſhall always be Preferred to the Diligence of the Neareſt of Kin, *Ibid.*

Item, Incaſe of any Depending Action againſt the Defunct at his Deceaſe; it ſhall be Leiſum to the Purſuer of the ſaid Cauſe, to Charge his Neareſt of Kin to Confirm Executor within 20 Days, which ſhall be a paſſive Title againſt the Perſon Charged, as if he were a vitious Intromettor, unleſs he Renounce; and then the Charger may Proceed, and recover an Decreet *cognitionis cauſa*; and the Debt being thereby Conſtitute, he may be Decerned Executor *Dative* to the Defunct *in communi forma*. *Ibidem.*

F

FISHING.

THe *Greenland* Fiſhing Declared a Manufactory, and to have all the Priviledges thereof, *Act* 41. *Par.* 1. *Seſs.* 1. *Ja.* 7*th.*

The

The Fishing Company Dissolved, or Discharged; and the Election thereof Rescinded, with the whole Priviledges belonging thereto; and the Exaction of Six Pounds *Scots* out of the Last of Herring, and all others upon that account Prohibited, *Act* 34. *Par.* 1. *Sess.* 2. *W.* and *M.*

Item, for Encouragement of Fishing, the Merchants of Royal Burrows, and other good Subjects to Imploy their Stocks and Industrie in the said Trade: It is Declared that they shall have all the Freedoms competent to them before the Erection of the said Company; and particularly, that the Forraign Salt applyed in Careing of Fishes shall be free of Excise, and all other Duty. *Ibidem.*

Item, The Merchants and Exporters are to have Allowance; or are to be Repayed by the Customers for the behove of the Curer of the Fish, who bought the Salt for that use, of 10. *lib.* 4. *ss. Scots* for the Salt for each Exported Last of Herring or white Fish; and 12. *lib.* for each Exported Last of Salmond, conform to the 12. *Act* 1. *Sess.* 2d. *Par. Cha.* 2d. *Ibid.*

Item, It is Declared, that albeit, the Taking of Fishes be allowed to all the Leidges, without prejudice of Mens particular Properties; yet the Exportation of Fishes does only belong to the Merchants of Royal Burrows, conform to the 12. *Act* of this *Parliament. Ibid.*

Item, Acts of Parliament, made against the Killers of Black Fish, and of Fry of Salmond, Ratified, with this Addition as to the Pains, That if these found Guilty, shal not be able to pay the Pecunial Mulct, then they may be either Corporally Punished, or Banished; or (if fit to serve)

may be given as Recruits to any Officer of the Forces, *Act* 33. *Seſſ.* 6. *Parl.* 1. *K. W.*

Item, The half of the Fine Impoſed, to be payed to the Diſcoverer. *Ibidem.*

Item, That each Miln-Damm, have a Slop in the Mid-Stream thereof: And that the ſaid Slop be in every Dyke, and each Grain thereof, except where Cruives are ſettled; providing the ſame prejudge not the Going of Milns Sittat thereon. *Ibidem.*

FINES. See *Adjudication.*

HUsbands ordained to be Fined, for their Wives Withdrawing from the Ordinances: And approving the Councils former Practice therein, and Ratifying all Decreets thereanent, reſerving Power to the Privy Council, to Abſolve, or Mitigat the Fines of ſuch Husbands, as are known to be of Loyal Principles, *Act* 6. *Parl.* 1. *Seß.* 1. *Ja.* 7.

ALL Fines, Impoſed from the firſt of *January* 1665, to the fifth of *November* 1688, for Church Irregularities, or Non-Conformities, refuſing Publick Bonds, or Oaths, for not obeying Acts and Proclamations thereanent, Reſetting, or Converſing with Rebels, and others, the like Repetition thereof, may be purſued for, againſt the Donators, who are thereby declared to be lyable, to Refound what they have received, with Annualrent ſince *Martinmaſs* 1688, *Act* 25. *Seſſ.* 5. *Parl.* 1. *K. W.*

Item, The Annualrents of what Sums were payed

ed as Compoſition, either of Fines or Forfaultures, ſince the Date of the general Act Reſciſſory 1690. *Ibidem.*

Item, It is Declared, that when any Perſon Forfaulted and Reſtored, and Poſtponed, either for Payment, as a Creditor, or Relief, as Cautioner, by Reaſon of his Forfaulture, occaſioned by his not doing Diligence; he ſhal now, after Reſtitution, be in the ſame Caſe of Preference, as if he had done all Diligence poſſible for him, if not Forfaulted. *Ibidem.*

FORCES.

A Warrand to Duke *Hamilton*, to ſecure Suſpect Perſons, and bring in *Engliſh* Forces, as he ſees Cauſe, *Act* 12. *Conv*, *Aprile* 8. 1689.

A Warrand to Duke *Hamilton*, to Draw Precepts for Paying the Forces, *Act* 37. *Conv. May* 27. 1689.

FORFAULTURE. See *Annualrents*, See *Fines*, §. laſt.

NO Vaſſal or Creditor, Perſonal or Real, ſhall be prejudged, or loſe any of their Lands, or Eſtates, or any of their juſt and true Sums, reſting to them by their Superiors, or Debitors Forfaulture, Act 33. *Conv.* Aprile 27. 1689.

ALL Forfaultures and Fines, paſt ſince the Year 1665, Reſcinded, as to the particular Perſons therein-mentioned: And ge-

nerally, all Forfaultures, pronunced either by Parliament, or Courts, or Commiſſioners, from the ſaid Day, to the fifth of *November* 1688, Act 18. *Parl.* 1. *Seſſ.* 2. W. *and* M. Except the Forfaulture of *Patrick Roy Mackgrigor*, and other Malefactors and Murderers therein-mentioned. *Ibidem.*

Item, All Eſcheats, which have fallen by the ſaids Forfaultures, and all Infeftments, and other Rights proceeding thereon, are declared null and void. *Ibidem.*

Item, They, and their Poſterity, are Rehabilitat and Reſtored to their Goods and Fame. *Ibidem.*

Item, When the Debitors of the Forfault Perſons, have made Payment *bona fide*, they are thereby liberat, allowing the Party Forfaulted Recourſe againſt the Donator. *Ibidem.*

Item, That Perſons Forfaulted, or their Heirs, if Deceaſed, be fully Re-poſſeſt of their Lands, *&c.* whereof they were in Poſſeſſion the time of the Forfaulture: and to have full Right to the by-gone Rents, ſince *Martinmaſs* 1688 incluſive, with all other by-gones reſting in the Tenents Hands. *Item*, To all by-gones Intrometted with by any Donator, or his Aſſigney, in caſe of ſpecial Reaſons and Acts to be paſt thereanent. *Ibidem.*

Item, All Fines are diſcharged, which are yet unpayed, Impoſed ſince the ſaid time, to the ſaid fifth of *November* 1688, for Church Irregularities, Non-Conformities, or refuſing Publick Bonds, or Oaths, Reſet, or Converſe with Rebels, for the Cauſes foreſaid, refuſing to Diſpone a-

gainſt

gainſt themſelves, in Capital Caſes, or any Bonds granted for theſe Fines, with all Hornings, *&c. Ibidem.* Page 65.

Item, It is remitted to the Commiſſion, appointed by the ſaid Act, to conſider the Grounds of Repetition of what Fines have been already payed to Donators, or other Publick Parties. *Ibidem.*

Nota, *It ſeems by this, that there is no Repetition to be had from the King.*

Item, It is Declared, that it ſhal be leiſum to any of the ſaids Perſons Forfaulted, who have Componed with the Donators, or others, for the Forfaultures, to repeat what Sums have been payed therefore: And where Bonds are granted therefore, and the Sums not yet payed, the ſame are declared null and void. *Ibidem.*

Nota, *There are two or three Caſes excepcepted from this Clauſe.*

Item, It is Declared, that where Donators did Compone with Perſons, who had Commiſſion and Warrand for that Effect, from, and to the Behove of the Forfaulted, or Perſon Fined, or their Heirs, or by Warrand and Commiſſion of the Relation of Minors; that in that Caſe, their Right ſhal be good and valid, for a Security to them, for what they truly payed, with Deductions of Intromiſſions, they always reſtricting their Poſſeſſion, to the payment of the Annualrents of the ſaid Compoſition. *Ibidem.*

Item, It is remitted to the ſaids Commiſſioners, if, and how far the Perſons Forfaulted, Diſpoſſeſt of their Eſtates, ſhal be lyable for the

payments of their Annualrents, during that time, and Diligence, until Report of the ſaid Commiſſion, is to be ſuperceeded at the Inſtance of their Creditors. *Ibidem.*

Item, All Unlaws, and Penalties, and others whatſomever, Impoſed by any Courts, on Accounts above-mentioned, or Bond or Act made to the late two Kings, ſince the ſaid firſt of *January*, and which are yet reſting, are Diſcharged. *Ibidem.*

Item, That where Bonds were Extorted, or Exacted through Fear, the Creditors, or others having Right thereto, are ordained to deliver up the ſaids Bonds, granted upon any of the Accounts foreſaid: And where they are Regiſtrated Diſcharges thereof, betwixt and the firſt of *November* 1690, under the Pain of Doubling the Penalty, in caſe the Bond hath been ſo Extorted. *Ibidem.* Page 66.

Item, The Clerks of Council, General Receivers, and others, are ordained to give up ſuch of the ſaids Bonds, as are in their hands. *Ibidem.*

Item, The Perſons Spuilzied and Plundered, are allowed Repetition of their Damnages, for which Bonds were not granted: And that either before the ſaid Commiſſion, or Judge ordinar, as they pleaſe. *Ibidem.*

Item, The Lords of Seſſion are allowed to grant Suſpenſion of the ſaids Bonds, upon any probable Grounds: And that without Caution, or payment of any Duties. *Ibidem.*

Item, All the ſaids Perſons, who were abſent, and durſt not appear, or were out of the King-

dom,

dom, upon the Account of their Irregularities, Non-Complyance, or others foresaids, are Reponed against all Sentences pronunced against themselves, or Minors under their Tutory, or Curatory: And that by way of Exception, Suspension, or Reply; and without Reduction. *Ibidem.* Page 67.

Item, They are Reponed against all Losses, sustained by Running of Wards, Non-Entries, or other Casualities, or of shorter Prescriptions, occasioned through their Absence, to which they were forced by the Severities foresaid. *Ibidem.*

Item, The Reliefs of Persons Forfaulted, and who had Liferents not Confirmed; and were therefore Induced by the Donators, to Transact their Liferents at easie Rates, are therefore Reponed against the same; They always Refounding, after Compt and Reckoning of the Donators Intromission, what was given in Lieu of the saids Joyntures. *Ibidem.*

Item, The said Act is Declared to be effectual, as well to the Persons not Named, as Named, who have been either Fined or Forfaulted, since the Time, or upon the Accounts foresaid. *Ibidem.*

Item, It is Declared, that this Act is but prejudice of any, who have been Forfaulted since the Reign of King *Charles* the second, before the first of *January* foresaid, to bring in their Processes, and to crave Redress therefore: As also, for any other Person, particularly or generally mentioned, to bring in particular Acts, for Rescinding the Decrees of Forfaulture against them, *ad modum Justitiæ*; and for Repetition of all by-gones. *Ibidem.*

Item,

Item, Their Majeſties Diſſolve from the Crown, any of the Forfaulted Eſtates Annexed thereto, ſince the ſaid Year. *Ibidem.*

Item, For the more effectual Redreſs of all Perſons Forfaulted and Fined, and for Repetition of Compoſitions; And alſo, that the Pretences and Claims of all Donators, and their Singular Succeſſors for Onerous Cauſes, may be Cognoſced and Diſcuſſed in Parliament: There is Commiſſion granted to the Members therein-mentioned, to Hear and Diſcuſs their Claims and Allegiances, and to Report their Judgment thereanent, to the next Seſſion of that, or any other Parliament. *Ibidem.* Page 68.

Item, There is Remitted to them, ſeveral particular Caſes therein-mentioned, which they are to Hear and Report as ſaid is. *Ibidem.*

THe Act of Parliament 1669, Approving Forfaultures in Abſence, by the Juſtice Courts, for Rebellion, or any other Crime, Reſcinded; and the ſaid Act, and ſuch Sentences, to have been from the Beginning, void and null: And the Perſons Forfault, to be Reſtored *ad modum Juſtitiæ*, *Act* 31. *Parl.* 1. *Seſſ.* 2. *W.* and *M.*

Item, That no Forfaulture ſhal prejudge the Tackſmen, Creditors, Superiors, Vaſſals, or Heirs of Entail, nor Huſbands or Wives; but only Tacks Cled with Poſſeſſion, before the Committing of the Treaſon, where it was Open; or Citation, where it was Latent, ſhal Defend againſt the Forfaulture: The Debts being always upon Record, by being Regiſtrat, or Diligence done thereupon, *Act* 33. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Item,

Item, That Heirs of Entail, Substitute with Prohibitive, or Irritant Clauses, in case of Contravention, shal only prejudge Succeeding Heirs of Entail, by their Forfaulture, in so far as they have Power to Transact Debt, or Affect the Lands by the Quality of the Right; and in so far as stands Unexerced by the Predecessor, the time of Committing the Treason, which is Open; or of Citation, where it is Latent, shal have only Right to Affect the same, as the Party Forfaulted might have done, by the Quality of the Infestment: Providing the Tailzie be Registrat conform to the Act of Parliament 1685: And that the Deed, whereby the foresaid Faculty is Exerced, be Insert in some Publick Register, or Contract of Marriage. *Ibidem.*

Item, That neither Husbands nor Wives shall be prejudged of what they have Right to, either *provisione hominis vel provisione juris* by the Forfaultures of others, which notwithstanding thereof, shall have their full Effect after Dissolution of the Marriage. *Ibid.*

THe Forfaulture of the late Earl of *Argyle* Rescinded, *Act* 4. *Sess.* 1. *Par.* 1. *W.* and *M.*

THe Forfaulture of *Andrew Fletcher* of *Saltoun* Rescinded, as being pronounced upon an Lame and Defective Probation by one Witness, who was also under the Terrour of Death, and Temptation of Remission, and being Prisoner for the same Alledged Crimes, and not Pardoned till he Deponed, and then presently Liberat, *Act* 16. *Par.* 1. *Sess.* 2. *W.* and *M.*

The

THE Forfaulture of the Deceaſt *John Swinton* of that Ilk Reſcinded, for the particular Grounds and Reaſons contained in the *Act*, which is the 41. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

FORFAULTED ESTATES,

And Payment to the Creditors thereof. See Annualrents.

ACT, Reponing all Forfaulted Perſons, Reſtored by the *Act* of *Parliament*, *July* 4. 1690, to the Poſſeſſion they had before the ſaid Forfaulture; notwithſtanding of the ſpecial Remitts made by that *Act*, to an Commiſſion to Determine thereanent: And Ordaining the Lords of Seſſion to Judge thereanent. Except, 1. The Conſideration of the Grounds of Repetition of Fines. 2. The Eaſe that Forfaulted Perſons Reſtored in this *Parliament* ſhould have of their Annualrents. 3. The Forbearance that they, and the Cautioners ought to have, as to Principal Sums, *Act* 31. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, That the Lords of Seſſion proceed therein, ſummarly without abiding the Order of the Roll, *Act* 38. *Seſſ.* 4. *Parliament* foreſaid.

Item, That all Eſtates Forfaulted ſince the year 1688, or that ſhall be Forfaulted hereafter; It ſhall be Leiſum for His Majeſty, or His Donator, to call the Creditors of the Perſons Forfaulted before the Lords of Seſſion, to the Effect they may appoint them ſuch parts of the Eſtate, as ſhall be found anſwerable to their Debts, *Act* 24. *Seſſ.* 6. *Par.* 1. *K. W.*

FOUN-

FOUNDERS of BELLS.

THat the Trade of Founding, or Caſting of *Bells*, *Cannons*, &c. lately brought hither by *John Meikle*, ſhall enjoy the Priviledge of a Manufactory, as others do in all Points, and that for the ſpace of 19. years after the Date hereof, which is the 15 of *June* 1686, *Act* 31. *Par.* 1. *Seſs.* 2. *Ja.* 7th.

FOURTEEN-SHILLING-PIECES

THat all Old Fourteen-ſhilling-pieces weigh two Drops and twenty ſeven Grains, and their Halfs weigh Proportionally, which ſhall be received at the preſent Rate in all Payments, *Act* 38. *Seſs.* 6. *Par.* 1. *K. W.*

Item, that all under the ſaid Weight, ſhall paſs at the Rate of a Groat the Drop. *Ibid.*

FRANCE.

ACT Diſcharging any Perſon to go to the Dominions Subject to the *French* King after the Firſt of *June* 1693; or being already there to ſtay after the Firſt of *Auguſt*; or to Correſpond with any Perſon there, under the Pain of being Puniſhed, as Correſponders with Declared Traitors, *Act* 8. *Seſs.* 4. *Par.* 1. *K. W.* and *Q. M.*

G

GAME.

AN Ratification of all former Laws made for preſerving of Game; and in ſpecial, an Act of Privy Council, Dated *July* 9. 1682, whereof the Tenor is Ingroſſed, and an furder Addition made thereto, requiring all Maſters of Game, and others to be Diligent in putting the ſaids Acts in Execution; and requiring all Judges before whom the Maſters of Game, or others ſhall Purſue the Contraveeners to give them ſpeedy Juſtice, *Act* 20. *Par.* 1. *Sefs.* 1. *Ja* 7*th.*

Item, For the preſervation of Partridges, Muirfowls, &c. that no Perſon make uſe of Seting Dogs, or Nets for Taking thereof, for the ſpace of Seven years after the Date of the ſaid Act, which is, *May* the 27. 1685, under the Penalty of 40. *merks* for each Fowl that ſhall be taken, to be payed to Maſters of the Game; and 40. *merks* for each Hare that ſhall be Shot. *Ibid.*

GEOGRAPHIE. See *Deſcription.*

GLASGOW.

RAtification of an Charter granted by Their Majeſties to the Town of *Glaſgow*, dated 4: of *January* 1690, whereby they are allowed

lowed to chuse their own Provost, *Act* 15. *Sess.* 2. *Par.* 1. *K. W.* and *Q. M.*

Item, It is Declared, that it shall be without prejudice to Their Majesties of the Right to the Regality of *Glasgow*, or other Rights (except as to their Freedom in chusing their own Magistrats) and to the several Erections of Incorporations, and Deacons of that Burgh, *Ibid.*

GLASIER. See *Mile.*

GRIEVANCES.

GRievances represented by the Estates of the Kingdom, to the King's Majesty, to be Redressed in *Parliament*, *Act* 18. *Convention*, *April* 13. 1689.

H

HEARTH-MONEY.

THere is an Offer of 14. shilling *Scots* for every Hearth within the Kingdom, to be payed at *Candlemass* 1691, by the Inhabitants of the Houses where the Hearths are, except the Hearths of Hospitals, and poor People who are upon Charity of the Parochs, and where the Houses are not Inhabited, to be Payed by the Heretors, Liferenters, or proper Wadsetters, to whom the same for the time do belong, *Act* 2. *Par.* 1. *Sess.* 2. *W.* and *M.*

Nota, *This* Hearth-Money *was granted in liew, of one of the Hundred, out of Annualrents Impiesed by an Act of this Parliament; and the Debitor is to Retain that one of the Hundred out of the Annualrents resting by him, which is a sixth part thereof, and that for the Term of* Martinmas *1690, till* Whitsunday *1691. Ibid.*

Item, There are Three Months Cess granted, in Recompence whereof the said Retention is allowed; and it is Declared Usury not to grant the same. *Ibid.*

HERDING.

THat all Heretors and Possessors of Lands, Houses, and others, shall cause Herd their whole Bestial both in Winter and Summer, and in the Night shall keep them, either in Houses, or Inclosures, that they may not Destroy their Nighbours Ground, or Planting, *&c.* under the Penalty of Half a *mark toties quoties*, for ilk Beast, besides the Damnage; and that it shall be lawful to detain the Beast until the same be payed: And also, the Expenses in keeping thereof, *Act* [illegible] *Par.* 1. *Sess.* 2. *Jac.* 7th.

HERRING, *and Cureing thereof.*

THe manner and way of Cureing and Packing of Herring prescribed: As also, of Salmond, *Act* 5. *Sess.* 4. *Par.* 1. *W.* and *M.*

HORNINGS

HORNINGS.

ALL Hornings after the 5th of *November* 1688, (which was His Majesties Landing Day in *Britain*) to the 5th of *October* 1689, (at which he Ordered the opening of the Signet) are Declared void and null, *Act* 40. *Par.* 1. *Sess.* 2. *W.* and *M.*

Nota, *The Reason given in the Act is, because Persons were unwilling to Suspend such Charges in the Name of King* James.

HUSBANDS, See *Fines.*

I

IMPOSITIONS.

ACT granting Additional Impositions to His Majesty upon Forraign Imported Commodities, as is at length therein set down, *Act* 34. *Sess.* 5. *Par.* 1. *K. W.*

INDEMNITY. See *Officers of State.*

INHIBITION.

THat in time-coming, no Inhibition duely Execute shall be prejudged, or disapointed by the

Debitor's doing Deeds thereafter, infering Recognition, but that the Lands Recognized shall be Burdened with the Inhibition, and Grounds thereof, *Act* 15. *Sess.* 2. *Par.* 1. *Ja.* 7th.

INTERLOCUTORS.

ALL Interlocutors of the Lords of Session, and all other Judges whatsomever shall be signed by the President of the Court, or Judge, Pronouncer thereof, after the first of *November* 1686; and Discharges the Clerks upon their Peril to give out Acts, or Decreets until the Interlocutor be Signed as said is; Declaring also, the Extracts otherways given out to be Null, *Act* 3. *Sess.* 2. *Par.* 1. *Ja.* 7th.

Item, for preveening of Mistakes anent Interlocutors; It is Statute, that in all Points to be Voted by the Lords of Session hereafter; The Question being Stated, shall be first Written by the Clerk, and Read before they go to Vote, and then the Interlocutor shall be Written, and Read and Signed by the Chancellor or President, Declaring all Interlocutors; and the Minuts of Definitive Sentences that shall not be so done to be Null and Void; and the Writer and Signer thereof shall incurr Deprivation, *Act* 18. *Sess.* 4. *Par.* 1. *W.* and *M.*

INTERRUPTION. See *Prescription.*

JUSTICE

JUSTICE of PEACE.

AN Ratification of all former Acts anent Justices of Peace, and Constables; and furder Impowering them to put the Laws in Execution against all guilty of Conventicles, Irregular Baptisms, *&c.* and other such Disorders, in so far as they are not Capital; and where they are such, they are to Secure the Persons, and acquaint the Sheriff, or other Judges thereof, *Act 16. Sess. 1. Par. 1. Jac. 7th.*

Item, As to the saids Irregularities, the Justices may proceed immediatly without waiting any time after the Crimes are Committed, (as they are Ordained to be by preceeding Acts of Parliament, whereby they are not to Attack till 14. days after the Committing of the saids Crimes) and their Clerks are Ordained to send Information of their Proceedings Quarterly to the Clerks of Council. *Ibidem.*

Item, They are allowed to choise their own Clerks. *Ibid.*

But this is Rescinded by the 20. Act of the second Session of this Parliament, which is Declared to belong to the Secretaries of State.

Item, Upon Decease of any of the saids Justices, the Council is Impowered to Nominat others in their place, and to Impose Penalties upon such of them as shall not keep Dyets of Meeting according to the former Acts, with Power also to the Council to Amplifie their Power as they find it necessary; and what they do therein is Declared to have the Strength of an Act of Parliament. *Ibid.*

JUSTICIARY. See *Forfaulture in Abſence.*

ALL Proceſſes of Treaſon, Intented againſt theſe in Rebellion againſt Their Majeſties, and who are not Forfaulted by the Parliament, upon the twenty ſecond of *July* 1690, (which is the Date of the Act) are Remitted to the Commiſſioners of Juſticiary, to be Diſcuſt by them upon Summonds purſued before the Parliament: Which is declared to be as valid, as if they had been Cited before the Juſtices, at the firſt Inſtance, *Act* 43. *Seſs.* 2. *Parl.* 1. *W.* and *M.*

Item, They are Impowered to proceed againſt them, upon the ſaids Crimes of Treaſon, albeit they be abſent. *Ibidem.*

ACT Declaring that Their Majeſties may grant Commiſſions of Juſticiary for the *High-Lands*, except as to theſe Lands, to which there is Heretable Rights of Juſticiary granted: And as to which, It is declared to be leiſum for Their Majeſties, to grant Commiſſion for the Space of two Years, upon the Conditions therein-expreſt, *Act* 39. *Seſſ.* 4. *Parl.* 1. *W.* and *M.*

Item, It is Declared, that the ſame ſhal be but prejudice to theſe, who have Right to theſe Offices, *ad vitam aut culpam*, or Heretably, to enjoy the ſame as before. *Ibidem.*

That

THat His Majeſties Advocat, and theſe for the Pannel, before the Juſtice Court, Debate the Relevancy *viva voce*; and that thereafter, there be, within fourty eight Hours, Informations given in to the Clerk, in Write, Subſcribed with the Purſuer's Advocats Hand; and that the Pannel's Advocats take it up, and give in Anſwers thereto, within other fourty eight Hours: Both which ſhal be Recorded by the Clerk, in the Books of Adjournal: And then, at Adviſing, the ſame ſhal be Read in Court: And if any thing be found new on either Side, and noticed by the Party, the ſame ſhal be Debate *viva voce*, and Minuted: And then, all ſhal be Adviſed, *Act* 4. *Seſſ.* 5. *Parl.* 1. *K. W.*

THe former Act of Parliament, made in the Year 1693, anent the Juſticiary of the *High-Lands*, Prorogat for the Space of other three Years, after the Expiration of that Commiſſion, *Act* 37. *Seſſ.* 5. *Parl.* 1. *K. W.*

K

KING. See *Coynage.* See *Supply.* See *Supremacy.*

A Declaration and Offer of Duty, by the Kingdom of *Scotland*, to the Kings Majeſty, Declaring his Abſolute Power, and Supream Authority; And offering their Lives and

and Fortunes to Aſſiſt, Support, and Defend the ſame, upon the ſeveral Grounds and Motives therein-mentioned, *Act* 2. *Seſſ.* 1. *Parl.* 1. *Ja.* 7.

ACT Ratifying all Acts made for In-bringing of His Majeſties Rents, and Declaring, that whatever Sheriff, Stewart, Baillie, or their Deputs, or Chamberlain of His Majeſties proper Rents Reſpective, ſhal not Compt yearly in Exchequer, in the Moneth of *July*, and receive their *Equies* of all that can be charged on them, that they being duly Denunced at the Croſs of *Edinburgh*, and Regiſtrat at the Horn, that *ipſo facto* they ſhal loſe their Office during their Lifetimes, albeit the ſame be Heretable: And that the ſame ſhal thereby Vaik in the King's Hands, *Act* 9. *Seſs.* 1. *Parl.* 1. *Ja.* 7.

Item, That all Fewers, and other Vaſſals of the Kings Property, who ſhal not Compt yearly in Exchequer, as ſaid is, whether for Feu, Blench, or Taxt Ward Duties, and others due by them, and receive their *Equies*; ſo that two Years thereof, ſhal run together unpayed: And that they ſhal be Charged, Regiſtrat, and Denunced therefore; that then, they ſhal be lyable for the Double of the Feu-Duty, Blench, Taxt Ward, and others: And that ſuch Execution ſhal paſs therefore, as if the ſame were contained in their *Reddendoes*. *Ibidem.*

Item, That all Sheriffs, *&c.* and their Clerks, ſend Liſts to the Theſaurer, or Clerks of Exchequer, of all Wards and Marriages, Simple or Taxt, that ſhal in time coming fall, or that are already fallen; and that before the firſt of *November*

ber 1685, and thereafter: Within six Moneths after the same shal fall, under the Pain of losing their Office. *Ibidem.*

Item, That to the Effect foresaid, at the next *Michaelmass* Court, they cause Vassals produce to them their Charters, that the Clerks may Record their *Reddendaes* thereof *gratis*, and Horning to be Direct against those who shal not produce. *Ibidem.*

Item, That Poynding and Apprysing for the Kings propper Rents, be only upon the Ground of the Lands, without further Solemnity. *Ibidem.*

KIng *William* and Queen *Mary* of *England*, declared to be King and Queen of *Scotland*, *Act* 14. *Conv. Aprile* 11. 1689.

Item, Act declaring the Estates to continue in the Government, until they accept of the Crown, which is the fifteenth *ejusdem.*

Item, That all Persons, who in Law, are obliged to take the Oath of Allegiance; and all others, whom the Council shal think fit to put the Oath of Allegiance to, shal Subscribe the Assurance, and Certificat thereto subjoyned, *viz.* That Their Majesties, *William* and *Mary*, are the only Undoubted Soveraigns, King and Queen of *Scotland*, as well *de Jure*, as *de Facto*, *Act* 38. *Par.* 1. *Sess.* 2. *W.* and *M.*

PRoclamation against the Owning of the late King *James*, and Appointing Publick Prayers for King *William* and Queen *Mary*, *Act* 16. *Conv. Aprile* 13, 1689.

Their

THeir Majeſties Authority, and Undoubted Right to the Crown, aſſerted and acknowledged; Declaring it High Treaſon in any Subject, by Writing, Speaking, or any other manner of way, to Diſowne or Quarrel the ſame: Ordaining alſo the Oath of Allegiance to be taken by all Members and Clerks of Parliament, and all others in Publick Truſt: Reſcinding all Acts impoſing any other Oaths of Allegiance, Supremacy, Declarations, and Teſts, except the Oath *de Fideli*, *Act* 2. *Par.* 1. *Seſſ.* 1. *W.* and *M.*

KING'S DEATH.

THat no Commiſſion, Civil or Military, or any Court whatſoever, ſhal ceaſe, or become void by the Death of His preſent Majeſty, or any of his Heirs or Succeſſors; But that the ſame ſhal continue in full Force, for the Space of ſix Moneths after the ſaid Death, unleſs the ſame be ſtopt, or recalled by the next Succeſſor, to whom the Crown ſhall deſcend according to the Declaration of the Eſtates of this Kingdom, dated the eleventh of *Aprile* 1689, *Act* 17. *Seſſ.* 6. *Par.* 1. *K. W.*

Item, That this, or any other Parliament for the time, is Impowered to Conveen and Sit, notwithſtanding of the ſaid Death; And that during the time of ſix Moneths, and no longer, unleſs the ſame be ſooner Adjourned, or Diſſolved by the foreſaid next Heir to the Crown. *Ibidem.*

Item, That if the ſaid Parliament ſhal be under

der Adjournment the time of the ſaid Death, then it ſhal meet upon the day to which it is Adjourned, if the ſame ſhal fall within twenty days after the Death foreſaid; or if the day to which it may be Adjourned, ſhal fall to be after the ſaid twenty days, then it ſhal meet and ſit immediatly after the elapſing of the ſaid twenty days, notwithſtanding of the foreſaid longer Adjournment, and ſo continue during the ſaid ſix Moneths, unleſs it be Adjourned, or Diſſolved by the foreſaid next Heir to the Crown. *Ibidem.*

Item, In caſe there be no Parliament the time of the Death, that the laſt preceeding Parliament ſhal, twenty days after the ſaid Death, Conveen at *Edinburgh*: And is Impowered to Act, as if the ſame had not been Diſſolved, and that during the foreſaid time of ſix Moneths, unleſs it be Adjourned, or Diſſolved within that time, by the next Appearand Heir, as ſaid is. *Ibidem.*

Item, It is provided, that any ſuch Parliament ſhal only have Power to do and Act, what ſhal be needful for the Defence of the Proteſtant Religion, as it is now by Law Eſtabliſhed: And the Maintaining the Succeſſion to the Crown, as ſetled by the Claim of Right: And Securing the Peace of the Kingdom; but no ways to Alter, or Innovat the preſent Conſtitution, or Laws ſtanding for the time. *Ibidem.*

KIRK. See *Vacancies*, and *Confeſſion of Faith.*

Commiſſion

COmmission for Plantation of Kirks, and Valuation of Teinds, narrating all former Acts made thereanent, *Act* 28. *Par.* 1. *Sess.* 1. *Ja.* 7. Dated *June* 2. 1685.

Item, They are to Value all Teinds, great and small, Parsonage or Viccarage, which are yet Unvalued: But where Viccarage is a Separate Benefice, the same is to be separatly Valued, that the Titular, or Minister having Right thereto, may get the true Worth thereof. *Ibidem.*

Item, They are Impowered to grant Sub-Commissions, and to receiv Reports from them, and to Approve, or Disapprove the same, as they find just; and Rectifie whatsoever Valuations led, or to be led, to the Enorm Hurt of the Titulars, or Prejudice of the Ministers Provisions; containing also several other Clauses mentioned in the former Commissions. *Ibidem.*

Item, The Commission is to endure, till it be discharged by His Majesty: And the Acts and Decreets thereof, are to have the Strength of Decreets of Parliament. *Ibidem.*

Nota, *That it is Singular in this Act, that the Commissioners are not enjoyned to take the Test, or any Oaths, except de fideli.*

AN other Commission granted for Plantation of Kirks, and Valuation of Teinds, (Ratifying former Commissions) Impowering them as is expreſt in the former, *Act* 22. *Par.* 1. *Sess.* 2. *Ja.* 7.

Item, With Power to grant Prorogations and Tacks,

Tacks, in Recompense of all Augmentations granted of Stipends since the Year 1630, or that shal be granted; and effeiring to the Augmentations as they shal think fit. *Ibidem.*

Item, Each Heretor, whose Teinds belong to Titulars of Erection, is to have Liberty to Buy the Teinds of his own Lands, whether Valued or not, within the Space of three Years after this Date, which is the fourteenth of *June* 1686; except in the Case of Minority, which is Salved by this, and the former Acts: And a longer time allowed them, as is therein-mentioned. *Ibidem.*

A Commission for Plantation of Kirks, and Valuation of Teinds, to the Persons therein-mentioned, whereof nine to be a *Quorum*, whereof two of every State, with one of the Officers of State, *Act* 30. *Par.* 1. *Sess.* 2. *W* and *M.*

Item, They are thereby Impowered to Value whatsoever Teinds, Parsonage, or Viccarage, which are yet Unvalued, in whose hands soever the same Teinds be, that belong to other Men. *Ibidem.*

Item, It is Declared, that in all Cases, the Heretors shal have a joynt Probation. *Ibidem.*

Item, They have Power to appoint Sub-Committees of their own Number. *Ibidem.*

Item, They have Power to Rectifie Valuations, Modifie, and Allocat Stipends; and Disjoyn too Spatious Paroches; and to Erect new Churches; and to Annex and Dismember the same. *Ibidem.*

Item, That every one have the Leading, and Buying of their own Teinds, conform to the nineteenth Act, Parliament 1633, and Rules therein-preſcribed. *Ibidem.*

Item, Any Perſons Complaining of Unjuſtice of any Decreets of former Commiſſions, the ſaids Commiſſioners are Impowered to Alter, Annul, or Allow the ſame. *Ibidem.*

Item, That the Miniſters ſhal not be prejudged of the Stipends, Poſſeſt by them, Modified, or to be Modified. *Ibidem.*

Item, It is to endure, until the ſame be diſcharged by Their Majeſties: And their Sentences are declared to have the Force of Sentences of Parliament; and the Lords of Seſſion ordained to Direct Letters of Horning thereon, and others. *Ibidem.*

Item, That where an Heretor, having Right both to Stock and Teind, has Fewed out his Lands, reſerving the Teinds; or where they are not Diſponed, the Heretor, in that Caſe, ſhal not be bound to Sell theſe Teinds; but prejudice to the Heretor, to Value the ſame, *Act* 24. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, That Teinds formerly belonging to Biſhops, and now to Their Majeſties, by their Abolition, ſo long as the ſame ſhal remain in Their Majeſties Hands Undiſponed, ſhal not be Sold, nor Teinds Mortified to Pious Uſes; but prejudice always of Valuing thereof. *Ibidem.*

Item, That Patrons, nor others, ſhal not be allowed to Allocat ſolely Heretors Teinds, purſuing for a Sale, after Citation given thereanent, but only proportionally of his, and other Teinds; excepting

excepting the Teinds of the Lands belonging to the Patron, Titular, or Tacksman, which is to be free of any part of the said Allocation, if there be sufficient Teinds beside. *Ibidem.*

Item, That any Warrand to be granted by the Commission, to Heretors for Leading their own Teinds, shal endure only, until Protestation for not Insisting, be obtained at the Instance of the Defender, against the Heretor, who has Intentented Action for Valuation against him. *Ibidem.*

Item, There are several Orders set down, anent the Dyet and Place of Meeting of the said Commission. *Ibidem.*

L

LAW.

THat any Law to be made after the 25. of *September* 1696, shall not be Concluded in that *Sederunt* in which it is first Read, but that the same shall lye on the Table till another *Sederunt*, that the Members may Consider thereon. *Act* 10. *Sess.* 6. *Par.* 1. *K. W.*

LETTER.

A Letter from *WILLIAM* King of *England* to the Estates of *Scotland*, and Read by them the 16. of *March* 1689, *Act* 1. *Convention March* 16. 1689.

A Letter from the Meeting of the Estates of

Scotland to the King of *England* in Answer to his, Direct to them, *Act* 9: *Convention March* 23: 1689.

A Letter from the Estates, with the Offer of the CROWN, *Act* 27: *Convention April* 24: 1689.

Item, Nomination of the Persons to Attend Their Majesties with the Offer, *Act* 28: thereof.

A Letter from His Majesty to the Estates, Declaring he had Accepted of the CROWN, and taken the Oaths, *Act* 38: *Convention*, *May* 24: 1689; whereby he turned them into a *Parliament* to Meet the 5: of *June* thereafter.

A Letter from the Estates to the King, shewing that they had Adjourned the *Parliament* to the Day foresaid; and Appointed a Committee for Managing Affairs in the Interim, Craving that to the Effect he may get a more particular Account of their Proceedings, that he would be pleased to allow the Duke of *Hamilton*, and others therein-mentioned to attend His Majesty, to give him fuller Information of some things expedient to be known, before the Meeting of the *Parliament* foresaid, *Act* 39: *Convention*, *May* 24: 1689.

General Letters Discharged, except for Their Majesties Revenues, and Ministers Stipends upon Decreets of Locality, and for Poynding of the Ground, *Act* 13: *Par*: 1: *Sess*: 2: *W*: and *M*.

LEVIE.

A Levie of Horsmen, Extending to the Fourth Part of those *Militia*-Horses formerly put out, conform to the 27: Act of the *Parliament* 1663, *Act* 20: *Conven*: *April* 18, 1689.

An

An Levie appointed of ſome Regiments of Foot by the Noblemen, and others therein-mentioned, who have Offered the ſamen, *Act* 23: *Convention*, *April* 19: 1689.

Item, The ſaids Horſes amounting to 500, to be Modelled in Ten Troops, *Act* 24: *Conven*: *April* 22: 1689.

Item, That there be 1000 Men Furniſhed for Recruiting the Regiments at Home and Abroad, until the next Seſſion of *Parliament* conform to the Proportions, and according to the Order and Method therein ſet down, *Act* 23: *Seſſ*: 6: *Par*: 1: *K*: *W*: Dated *October* 9: 1696:

Item, That until the next Seſſion of *Parliament*, there ſhall be Furniſhed to His Majeſty the Bodies of 1000 Men yearly, and that without any Burden or Charge of Money on the Countrey in manner therein mentioned, *Act* 33: *Seſſ*: 5: *Par*: 1: *K*: *W*: dated *July* 17: 1695.

LINEN-CLOTH.

ACT Diſcharging the Export of Lint of the Growth of this Kingdom; or of any Linen-Yearn; and alſo anent the manner of Weaving; and alſo putting up the ſame, and ſeveral other Rules thereanent, under the Certification therein-expreſt, *Act* 30: *Seſſ*: 4: *Par*: 1: *W*: and *M*.

LORDS of SESSION.

THat every one of the Lords of Seſſion ſhall Sit in Perſon in the Outter-Houſe by Turns, without Employing any other, except up-

on lawful Excuſe, in which caſe he is to Sit the next Week after he ſhall return to the Houſe again, under the Certification of loſeing his Sallary for that Seſſion, *Act* 19: *Seſs*: 4: *Par*: 1: *W*: and *M*.

Item, That the Ordinar in the Outter-Houſe ſhall go to the Bench as ſoon as the Reports are over (if he have any) and ſhall Sit there till 12: of the Clock, under Certification, that if either they ſhall ſtay after the ſaids Reports are over, or return from thence to the Inner-Houſe, and Reaſon or Vote in Matters Depending there, it ſhall be ſufficient ground of Declinator againſt him competent to any of the Parties, *Act* 21: *Seſs*: 4: *Par*: 1. *W*: and *M*.

Item, That all Debates, Reports and Probations be Adviſed and Voted by the Lords, with open Doors with this Reſtriction, that in ſpecial Cauſes the Lords ſhall be allowed to Remove all Perſons, except the Parties and Procurators; and that no Perſon ſpeak after the Lords begin to Adviſe under the Pain of Impriſonment, *Act* 27: *Seſs*: 4: *Par*: 1: *W*: and *M*.

Item, The ſame is alſo Extended to Criminal Proceſſes before the Juſtices, *Act* 28: *Parliament* forſaid.

Item, It is Declared, that in the Caſe of Rapt, Adultery, and the like; They may continue their former Cuſtom of Removing all Perſons, except Parties and Procurators at the Leading of Probation, *Ibid*.

M

MAGISTRATS.

AN New Election of Magistrats to be made in the whole Royal Burrows by Poll, and the whole Burgesses to be Conveened for that effect, Excluding these who are Honorary Burgesses, Town-Servants, and Pensioners, *Act* 22. *Conven. April* 18. 1689.

MALT.

THat all Malt Bought and Sold, be Delivered with the Heap-Firlot, according to the Bear-Firlot of the Place where it is Delivered, under the Pain of 10. *lib.* to both Seller and Buyer; and Confiscation of the Malt *toties quoties*, and the Malt to be Delivered to the *first* Informer, and this only to stand in Force till the next Session of Parliament, *Act* 37. *Sess.* 6. *Par.* 1. *K. W.*

MARRIAGE.

MInisters outed of their Charge, Prohibite to Marry Persons under the Pain of Imprisonment, until they find Caution to go out of the Kingdom, not to return thereto, *Act* 12. *Sess.* 5 *Par.* 1. *K. W.*

Item, It is Declared, that the said Act is but Prejudice of Former Acts made thereanent. *Ibid.*

MASONS

MASONS. See *Miles.*

MEADOWS.

THe pulling of Bent and Broom from Sandy Hills, either by Proprietars themſelves, or any others are Diſcharged; the ſame being the Natural Fence of the Adjacent Lands, Meadows and Paſturages; and which keeps them from being Over-blown with Sand, under the *Penalty* of 10. *lib. Act* 30. *Seſſ.* 5. *Par.* 1. *K. W.*

MEALL.

IT is Statute, that after the *firſt* of *January* 1697. all ſorts of Meall Bought and Sold within the Kingdom ſhall be Eight Ston Trois weight, in place of the Boll of *Linlithgow* Meaſure, and Proportionally under the Pain of Confiſcation thereof, and Impriſonment for the Seller, *Act* 6. *Seſſ.* 6. *Par. K. W.*

Item, It is Declared, that the Confiſcat Meall ſhall belong to the *firſt* Informer. *Ibid.*

Item, All Judges are required to ſee the ſaid Act put in Execution: And in caſe of Neglect thereof, they ſhall be Lyable to the Informer in the Double Value of the Meall, Reſerving Relief from the Tranſgreſſors, in ſua far as Extends to the Single Value thereof. *Ibidem.*

MERCATS.

ACT against keeping Weekly Mercats on *Munday* or *Saturday*, as tending to the Profanation of the Sabbath; and allowing them to Change them to other Days, not being the Mercat-Days of any Mercat-Town within Four Miles thereof; but not to be Extended against Fleshers in Royal Burrows, *Act* 14. *Sess.* 5. *Par.* 1. *K. W.*

MERCHANTS. See BURGH.

MESSENGERS *Fees.*

AN Act ordaining Sheriffs, Stewarts, Balllies of Regalities, or Royaltie and Justices of Peace, respective within whose Bounds any legal Diligence shall be used, to Modifie the Prices craved by Messengers for Execution of their Office upon Complaint of the Parties, either for, or against whom they were Employed, *Act* 35. *Par.* 1. *Sess.* 1. *Ja.* 7*th.*

MILES.

THat there be a fixt Standard for Measuring of Miles; Three Barley-Corns set lengthways to be an Inch; and 12. Inches to be an Foot of Measure; By which all Wrights, Masons, Glasiers, and others are Ordained to Measure their Work in all time-coming, under the Pain of 100. *lib. Scots toties quoties*; And Three of these Foots to make a Yeard; and an Inch more an *Scots* Eln; and 1760. Yeards to make a Mile

a Mile, which is to be the Standart in all time-coming, *Act* 44. *Par.* 1, *Seſs.* 1. *Ja.* 7*th.*

MILITIA. See *Oath.*

REndezvouzes of Militia Diſcharged in time-coming, during the King's pleaſure; and until it be Declared, that no Leaders or Aſſiſters can be Lyable for Furniſhing Horſe or Foot on that Account; Recommending to the Secret Council to Diſpoſe of the Militia-Arms in the reſpective Shires, as ſhall ſeem moſt expedient for His Majeſties Service, *Act* 32. *Par.* 1. *Seſs.* 1. *Ja.* 7*th.*

PROCLAMATION for Calling together the Militia on this ſide of *Tay*, *Act* 11. *Con. March* 30. 1689.

MINISTERS. See *Clergy.* See *Preſentation.*

THere being ſeveral Miniſters Deprived, for not Praying publickly for *K. W.* and *Q. M.* and not Reading the *Proclamation* of the Eſtates emitted for that Effect upon the 13. of *April* 1689; and yet notwithſtanding continue to Exerce their Miniſtry; and perniciouſly to diffuſe the Poiſon of their Diſſatisfaction by Preaching and Praying at other Churches where they alſo Neglect the ſamen: Therefore, ſuch are Diſcharged to Exerciſe any Part of their Miniſtry, either in Churches, or elſe where, until. *Firſt*, They come before the Council, Take the Oath of Alledgiance, and engage under their hands

hands to Pray as ſaid is; and not to own, or acknowledge the late K. *James* for their King in any ſort (this is to be underſtood, that he is neither *de facto* nor *de Jure*) *Act* 35. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Nota, *That the Certification is, that they ſhall be Proceeded againſt, as Perſons Diſaffected, and Enemies to Their Majeſties Government with all Rigour.* Ibid.

Item, The ſaid *Proclamation* is Ordained to be put to Execution againſt all who have not as yet given Obedience, and that the Council proceed therein; or Impower Sheriffs, or Magiſtrats of Burghs to do the ſamen. *Ibid.*

MINORS.

MInors are Declared Free during their Pupilarity from Caption, or Warding for any Debt or Civil Cauſe, *Act* 41. *Seſſ.* 6. *Par.* 1. *K. W.*

MINT.

THere is 20. *lib. Scots* allowed to the Maſters of the Mint for the Expenſes of Coynage upon the Stone-weight of Silver: And Reſcinds the Act of Parliament made in *Anno* 1686, Appointing only 18. *lib. Act* 36. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Item, Albeit it be leiſum to the Lords of Privy Council to make Tryal of every Journal of Coyn diſtinctly by it ſelf, by the Act of Parliament 1686; Yet ſeing the ſame is tedious, and no where

where elſe Practiſed: It is therefore Declared that it ſhall be leiſum for the ſaids Lords to take Tryal, not of every Journal, but by making Tryal of any one, or more ſingle Journals; and then to Meſt all in one ſingle Maſs, and to take an Eſſay thereof, which ſhall ſtand for the whole, *Act* 17. *Seſſ.* 5. *Par.* 1. *K. W.*

MINUTS *of Debate.*

THat for preparing Minuts of Debate, in Order to Reporting of Cauſes, the ſaids Minuts be made up by the Clerk at the ſight of an Advocat for ilk Party who are to make their Alledgiances as they think fit, and to be Subſcribed by them, and the Reporter; and if any of the Advocats refuſe to Concurr, he is to be Debarred the Houſe for the ſpace of an Month, and the Reporter, and the other Advocats Subſcribing ſhall be ſufficient; and what follows thereupon to be Reputed as done *in foro*, *Act* 20. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

MONTEITH.

THat all *Proclamations*, and other legal Diligences within the Stewartry of *Monteith* be Publiſhed, and Execute at the Mercat-Croſs of *Down*, in place of the *Papaltae*, being only a riſing Spot of Ground within a Private Yard, and a conſiderable ſpace from the ſaid Town of *Down*, *Act* 34. *Seſſ.* 6. *Par.* 1. *K. W.*

MURDER.

MURDER.

IF any Woman ſhall Conceal her being with Child during the whole ſpace, and ſhall not call for, and make uſe of Help in the Birth; The Child being found Dead, or Amiſſing, the Mother ſhall be Repute Murderer thereof; and the Libel is Ordained to be found Relevant by the Judges, and Proven by the Inqueſt, though there appear no Wound or Bruiſe, *Act* 21. *Seſs.* 2, *Par.* 1. *W.* and *M.*

MUSLINE.

THat all ſorts of Muſline, and all Linen whatſoever, Manufactored within the Kingdom, ſhall at Exporting thereof, pay Cuſtom as *Scots* Linen conform to the Book of Rates, *Act* 19. *Seſſ.* 5. *Par.* 1. *K. W.*

MUSTERS.

FAlſe Muſters Diſcharged under the pain of Caſhiring, and being Declared Incapable of bearing Office; and Fined in the Sum of 1000. *merks*; wherein is alſo ſet down ſeveral Rules for preveening the ſame, *Act* 4. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

O'

OATH. See KING.

AN Order, anent an Oath to be Taken by Persons in Military Employment, *Act* 5. *Convention*, *March* 19. 1689.

Oath to be Administred to the King and Queen of *England* at Their Acceptance of the Crown, *Act* 21. *Conven. April* 18. 1689.

Oath of Alledgiance Ordained to be Taken by the Commissioners of Supply, and their Collectors and Clerks, *Act* 7. *Par.* 1. *Sess.* 2. *W.* and *M.*

Item, That such of the Commissioners foresaid, as do not Take the said Oath betwixt and the *first* of *August* 1690, shall be Considered as not Accepting thereof, and Debarred therefrom; and the Council is Appointed to Name others in their Room, Act 8. *ejusdem.*

The Privy Council is Impowered to put the Oath of Alledgiance to all Persons that shall be Informed against, upon probable Grounds that they are Accessory to any Designs of Troubling the Peace, or to Secure their Persons; or exact Bail, not exceeding two Years Rent if Landed Men; and a Fifth part of their Value if not Landed Men, *Act* 14. *Par.* 1. *Sess.* 2. *W.* and *M.*

Nota, *This is only to endure until the next Session of Parliament.*

An Ratification of the Actings of the Privy Council, and Juſtice Court in Baniſhing, Impriſoning, and Fining ſuch as refuſe the Oath of Alledgiance; and to Aſſert the Prerogatives mentioned in the 11. *Act, Par.* 1. *Cha.* 2*d.* *Act* 17. *Par.* 1. *Seſſ.* 1. *Ja.* 7*th.*

Item, All Subjects are Ordained to Take the ſaid Oaths; and to Aſſert the Prerogatives when they are required by the Council, Juſtices, or any Commiſſionat by them, and that under ſuch Pains as they ſhall Inflict, not reaching Life or Limb. *Ibid.*

An Act for Taking the Oath of Alledgiance and Aſſurance by the Perſons therein-mentioned, under the Certifications therein-expreſt, *Act* 6. *Seſſ.* 4. *Par.* 1. *VV.* and *M.*

OFFICERS of STATE.

AN Indemnity to the preſent Officers of State, Members of the Secret Committee, Lords of Privy Council, and all Judges, Civil and Criminal; Officers of the Army; and all who have Acted by Commiſſions from King or Council, Securing them from all Purſutes that can be raiſed againſt them for their Actings in His Majeſties Service; And likeways for their Omiſſions, and that as fully as if there were an particular Remiſſion thereof under His Majeſties Great Seal, *Act* 31. *Seſſ.* 1. *Par.* 1. *Ja.* 7*th*

OFFICES.

IF any Perſon ſhall Refuſe to Accept the Office of Magiſtrats, Juſtices of Peace, or any o-

ther Office put on them by King or Council, they ſhall be Fineable, unleſs they can give ſuch reaſonable Excuſes as may ſatisfie the Lords of Privy Council, *Act* 11. *Par.* 1. *Seſs.* 1. *Ja.* 7*th.*

P

PANNALS. See *Citation.*

PAPISTS.

ALL Papiſts are Diſcharged from Exerciſing all Civil or Military Office within the Kingdom, under the Pains contained in the Acts of Parliament; Commanding them alſo, to deliver up their Arms (except Gentlemen, their ordinary wearing Swords) to Sheriffs within the time prefixt in the Act which is the 7*th* of the *Convention*, *March* 20. 1689.

PARLIAMENT. See *Adjournment.* See *Act.* See *Commiſſioners.*

THE Meeting of the Eſtates Declared to be a Parliament, notwithſtanding of the want of Proclamation for Calling the ſame, or any other Solemnities requiſite; and that it ſhall be Treaſon to Quarrel, or Impugn the Dignity and Authority thereof, *Act* 1. *Seſs.* 1. *Par.* 1. *W.* and *M June* 5. 1689.

The Act of Parliament concerning Members who do not Attend, Ratified and Renewed, whereby every Nobleman abſenting from Parliament ſhall

shall Incurr the Penalty of 1200. *lib. Scots*, each Commissioner for Shires 600. *lib. Scots*, each Commissioner for Burrows 200. *lib. Scots*, *Act* 1. *Par.* 1. *Sess.* 3. *W.* and *M.*

All Electors of Commissioners, either for Shires or Burghs to Parliament, are Appointed to Take the Oath of Alledgiance, with Certification that they shall not only be Rejected from Voting, and Excluded the Meeting; but that their Votes shall not be reckoned, albeit they should Vote; and they Fined in the Sum of 1000 *merks*, *Act* 4. *Par.* 1. *Sess.* 2. *W.* and *M.*

PASSENGERS.

ALL Masters of Ships shall at their Arrival, before they suffer Passengers to Depart, bring them to the nixt Magistrat, that they may Clear themselves of all Ground of Suspicion, *Act* 27. *Par.* 1. *Sess.* 1. *Ja.* 7th.

Item, The said Master is Prohibite to Export any Passenger, until he bring him betore the next Magistrat to the Effect toresaid; and the Master is to have a Tettificat of his so doing from that Magistrat (for which he is to pay Half a *mark*) under the pains of such Fines as the privy Council shall think fit to Inflict in the said Matter; *Ibid.*

PATRONAGE.

THat all Teinds, not betore Heretably Disponed, shall belong to the Patrons of Parsonages, and other Benefices without exeeption conform to the 32. Act of the *second* Session of this Parliament with the Burden always therein-specified, *Act* 26. *Sess.* 4. *Par.* 1. *W.* and *M.*

PURSUER.

IN Actions before the Lords, and all other Judges, where by the Act of *Litiſconteſtation*, the Defenders Oath is only required, and nothing to be proven on his part; The Purſuer is Ordain'd to Furniſh the Defender with the Act within 48. Hours, after he, or his Procurators ſhall be required; otherways, the Defender ſhall not be holden to Depone, but the Ordinar ſhall Diſmiſs him: The foreſaid Requiſition being made after the Term Aſſigned, and before the ſame be Circumduced by the Purſuer, *Act* 10. *Par.* 1. *Seſs.* 2. *Ja.* 7th.

Item, Where the Defender in Exhibitions Depones Negative, and the Defender in furth-comings Deponing, either Affimative or Negative, that the Clerks and Macers Dues ſhall be payed by the Purſuer; which if he do not, the Defender ſhall not be holden to Depone, but may be Diſmiſt as ſaid is. *Ibid.*

PLANTING, *and Incloſing of Ground.*

AN Ratification of all former Acts In Favours of Planting and Incloſing, eſpecially the 41. *Act. Par.* 1. *Cha.* 2d. Ordaining furder, that ſeing the 19. years preſcribed in that Act is now elapſed; That yet the ſamen be Obſerved for the ſpace of other 19. years after this Date, which is the 13. of *June* 1685, *Act* 39. *Par.* 1. *Seſs.* 1. *Ja.* 7th.

Item, Ratifies the 17. *Act Par.* 2. *Cha.* 2d. And

And furder Statutes, that no Perſon Cut or Pile Bark of any Trees, under the pain of 10. *lib Scots* for each Tree within ten years old, and 20. *lib* for each above that Age, with ſeveral other Clauſes. *Ibid.*

PLOT.

AN Ratification of the Narrative of the Plot and Conſpiracy by *Archibald* late Earl of *Argyle*; finding that there has been a Treacherous Conſpiracy, and therefore approving the Diſcovery thereof, with the Narrative Printed by Authority of the Lords of privy Council, *Act* 30. *Par.* 1. *Seſs.* 1. *Ja.* 7th.

POLE-MONEY.

AN Act ordaining, that for relief of Heretors, and others lyable in payment of the Supply granted to His Majeſty, that their Vaſſels who pay no part of the Ceſs, and alſo their own, and their Vaſſels Tennents and Sub-Tennents, and others living in their Lands ſhall be Taxed, and pay in to the Heretors yearly during the Supply as follows, *viz.* each Gentleman above the Quality of a Tennent, a Proportion to be appointed by the Heretor not exceeding 6. *lib Scots*, each Tennent not above 4. *lib. Scots*, each Tradeſman, Cotter, or Servant not above 20. *ß. Scots* yearly for themſelves, Wives and Children reſpective, for which the Heretor is to have ſuch Execution againſt them, as for their Maills and Duties, *Act* 34. *Par.* 1. *Seſſ* 1. *Ja.* 7th.

Pole-Money appointed to be payed to the Heretors for their Relief of the Supply by their Vaſſels

ſels and Feuars who pay no part thereof, and their Tennents and others who Live upon their Lands, according to their Quantities therein-mentioned, *Act* 9. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

An Act of Council for the In-bringing the Pole-Money, Dated *Auguſt* 13. 1696, Ratified and Approven, *Act* 30. *Seſſ.* 6. *Par.* 1. *K. W.*

Item, Pole-Money is Impoſed upon all Ranks of Perſons according to their ſeveral Degrees and Qualities, *Act* 9. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, Pole-Money again Impoſed upon each Perſon according to the Qualities therein-mentioned, Differing in ſeveral things from that Impoſed formerly, *Act* 10. *Seſſ.* 5. *Par.* 1. *K. W.*

POOR-PEOPLE.

ALL Acts of *Parliament* for Maintaining the Poor, and Repreſſing of Beggers Ratified, and Ordained to be put in Execution, *Act* 29. *Seſſ* 6 *Par.* 1. *K. W.*

Item, the Lords of privy Council are Impowered to appoint Supperviſors of the Poor, and to make ſuch Acts as may be effectual for Employing and Maintaining the Poor; and Freeing the Countrey of Vagabounds. *Ibid.*

Item, All Acts and Proclamations of Council for Maintaining the Poor, and Repreſſing of Beggers Ratified, and Ordained to be put to full Execution. *ibid.*

POPISH-PERSONS.

THat it ſhall not be Leiſum for any profeſt Papiſt to make any Gratuitous Deed, or Diſpoſition

Diſpoſition in prejudice of his appearand Heirs; and the Benfite they may have by their Succeſſion, to, and in favours of any other Perſon, *Act* 26. *Seß.* 5. *Par.* 1. *K. W.*

Item, If any Proteſtant Servant go to a Popiſh Family, and there become a Papiſt, he ſhall be Proceeded againſt as an Apoſtat from the Proteſtant Religion; And the Maſter of the Family being required by the Magiſtrat, or the Miniſter of the Bounds ſhall put him out of his Family, under the pain of 100. *lib. Scots. Ibid.*

Item, Who ever ſhall pervert any Proteſtant, Subject to the Errors of Popery, ſhall be proceeded againſt as a Trafficking Papiſt, *Act* 28. *Seſſ.* 6. *Par.* 1. *K. W.*

POST-OFFICE.

AN General Poſt-Office appointed to be keeped within the City of *Edinburgh*, from whence all Letters and Packets, whatſoever may be with ſpeedy Expedition ſent into any part of the Kingdom, or any other of His Majeſties Dominions; or into any Kingdom or Countrey beyond Seas, by the Packet that goes Sealed for *London*, at which Office all Anſwers are to be Received, *Act* 20. *Seſſ.* 5. *Par.* 1. *K. W.*

Item, That a Maſter of the ſaid Office ſhall be appointed by the King, by Patents under the Privy Seal; Or otherways that the ſame may be Set in a Tack by the Lords of Theſaury. *Ibid.*

Item, There is, therein ſet down the Priviledges of the ſaid Office, and the Prices for the Portage of Letters, according to the Diſtance of place. *Ibid.*

Item,

Item, All other Persons whatsoever, as well Singulars as Bodies Incorporat (except the said Post-Master, or Tacksman, and Servants of Noblemen and Gentlemen) are Discharged to carry Letters for Hire; or to set up any Foot, or Horse Post-Office under the penalty of 20. *lib. Scots* for each Transgression, and 100. *lib. Scots* for each Months continuance. *Ibid.*

Item, That no common Carrier carry any Letters to, or from any place, except these that relate to Goods sent with, or to be returned by him under the pain of six days Imprisonment, and Six *lib. Scots* of Fine *toties quoties* Ibid.

Item, The said Post-Master is ordained to keep Packet-Boats to go Weekly from *Port-patrick* to *Donachadie* in *Ireland*; the Expense whereof is to be allowed to him out of the Profite, or Tack-Duty of the Office, not exceeding 60. *lib. Sterling* yearly. *Ibid.*

Item, All Magistrats are Ordained to Concurr with the said Post-Master in Discharging the said Trust; and that no Person presume to Stop, or Hinder the Posts Authorized by him, under the pain of 1000. *lib. Ibid.*

Item, The Lords of privy Council are Impowered to take care, that particular Post-Offices be Established over all the Kindom, at places most convenient, and their times of Parting and Returning. *Ibid.*

PREACHERS.

PReachers at Vacant Kirks be North *Forth*, are for their Encouragement to have 20. *merks* out of the Vacant Stipends for each Day it shall

ſhall be Inſtucted by Certificats of the Presbytery, that they have Preached thereat, *Act* 15. *Seſſ.* 5. *Par.* 1. *K. W.*

Item, The Presbytery is Impowered to Commiſſionat Perſons to uplift als much of the Vacant Stipends as will pay the ſame Allowance; and if need be to Purſue therefore, Diſcharging all Advocations and Suſpenſions, except upon Confignation. *Ibid.*

PRELACIE.

PRelacie, and all Superiority of any Office in the Church above Presbyters Aboliſhed, and all Acts Eſtabliſhing the ſame Reſcinded, Declaring that Their Majeſties will Setle ſuch Government in the Church as is moſt agreeable to the Inclinations of the People, *Act* 3. *Par.* 1. *Seſſ.* 1. *W.* and *M. July* 22. 1689.

PRESBYTERIAN GOVERNMENT. See CONFESSION of FAITH.

PResbyterian Miniſters who were put from their Churches ſince the Firſt of *January* 1661, for not Conforming to Prelacy, are Reſtored thereto without any new Call; and allowed to have Right to the Stipends 1689, *Par.* 1. *Seſſ.* 2. *Act* 2. *K. W.* and *Q. M.*

Item, They are immediately to Enter to the Kirks, Manſes, *&c.* where they are Vacant; and where they are not, their Entry is Declared to be to the Half of the Stipend 1689; and the Incumbent is to have Right to the other Half. *Ibid.*

Item,

Item, The present Incumbents upon Intimation of the said Act, are to Desist from their Ministry in these Paroches, and to remove themselves from the Manses, and Glebs thereof at *Whitsunday* 1690.

PRESENTATION.

THe Power of Presenting Ministers by Patrons Discharged and Annulled; and all Rights and Infeftments in so far as they may be Extended thereto: but prejudice to the Patrons to Imploy the Vacant Stipends on Pious Uses within the respective Paroches, except where the Patron is Popish, in which case the same is to be Applyed by the Advice of the Presbytery; and in case he shall Faill in Applying it, as said is, he is to lose his Right of Administration thereof for that, and the nixt Vacancy; and the samen to be Disposed off by the Presbytery for the Uses foresaid, *Act* 23. *Par.* 1. *Sess.* 2. *W.* and *M.*

There is excepted from this, the Vacancies within the Synod of *Argyle*, which are to be Applyed for Training up of Youths at Schools conform to the 24 Act of the said Parliament.

Item, For Supplying of Kirks in time-coming, the Heretors of the saids Paroches (being Protestants) and the Elders are to propose an Person to the Congregation; and if any Disaprove that such give in their Reasons to the Presbytery by whose Determination the Entry is to be Ordered. *Ibid.*

Item, If there be not Application made by the the Heretors, and Elders within six Months after the Vacancy for Choising a Minister, that then Presbytery is to proceed to Plant one therein. *Ibidem.*

Item, It is Declared that this shall be but prejudice

judice of Calling Miniſters to Royal Burrows by the Council, and Kirk-Seſſion thereof, where there is no Landward Paroch, as they were in uſe before the year 1660; And where there is a Landward Paroch, the Heretors thereof ſhall have alſo a Voice therein. *Ibid.*

Item, In Liew of the ſaid Right of Preſentation, the Heretors and Liferenters of the Paroch, and Town-Council for the Burgh are to pay to the ſaids Patrons at *Martinmaſs* 1690, the Sum of 600. *merks*, proportionally to their valued Rent there; the Third part by the Liferenters, Two part thereof by the Heretors, deducing alſo, the Patrons own part effeiring to his Proportion as an Heretor, and that upon his granting a ſufficient Renunciation of the ſaid Right of Preſentation in Favours of the Heretors, and Seſſioners. *Ibidem.*

Item, It is Declared, that as to Kirks, to which Their Majeſties have Right, payment being made to the Clerk of the Theſaury, of the foreſaid Sum, that they ſhall thereby be fully denuded of their Right of Preſentation.

Item, In caſe the Patron refuſe, then the ſame is to be Conſigned in the hands of ſome Perſon within the Paroch, upon the peril of the Conſigner not to be given up until he grant the ſaid Renunciation, allowing in the mean time, the Heretors and Seſſioners to call a Miniſter, *ut ſupra. Ibid.*

Item, Letters of Horning are to be Direct at the Inſtance of the Patron againſt the Heretors, for payment of the ſaid Sum; And alſo, at the Inſtance of the Heretors who are willing to pay, againſt thoſe who are not; and in caſe the Patron be unwilling to accept, or the Heretors unwilling to pay, Letters are Ordained to paſs at the

Solicitor's Inſtance againſt either of them. *Ibid.*

Item, It is Statute, that the Right of the Teinds of the ſaids Paroches, which are not Heretably Diſponed, ſhall belong to the Patrons, with the Burden of the Miniſters Stipends, Tacks and others already granted out thereof, and of what Prorogations and Erections that ſhall hereafter be made. *Ibid.*

Item, That whatever Teinds the ſaid Patron ſhall have Right to by vertue of that Act, he ſhall Sell the ſamen to the Heretors at Six years Purchaſe, as the ſamen ſhall be Valued. *Ibid.*

Item, It is provided, that in reſpect, there are certain Lands and Annualrents Holden of the ſaids Beneficed Perſons, from which the Patrons might have ſome Benefite ariſing to them, that therefore the Right of Superiority of the ſaids Lands and Annualrents ſhall belong to Their Majeſties in all time coming; and Caſualities thereof, reſerving the Feu Farms and Maills to the Patrons, until they receive payment therefore, at the rate of 1000. *Merks* for each Chalder of Victual, and for each Hundred *Merks* Money, except where the Farms are a part of the Miniſters Stipends. *Ibid.*

PRESCRIPTION.

PReſcriptions mentioned in the 9. *Act* of the *firſt Seſſion*, Par. 2. *Cha.* 2*d.* relating to Actions upon Warnings, Spulzies, Arreaſtments, or for Miniſters Stipends, wherein the Caſes that exiſted before that Act were not conſidered: Therefore, it is Statute, that all ſuch Actions proceeding upon any ſuch Diligence intended either before the ſaid Act, or ſince, ſhall preſcrive within 5. years after the Date hereof (which is the 13. of *May* 1685.) if they be not walkened with in

within that time, *Act* 14. *Par.* 1. *Sess.* 1. *Ja.* 7*th.*

Item, All Actions to be raised hereafter upon the foresaid Grounds prescrive within 5. years, if they be not wakened within that time. *Ibid.*

In respect that the Clause concerning Citations for Interruptions mentioned in the 10. *Act* of the *first Session*, *Par.* 2. *Cha.* 2*d*, hath left the case of such Citations before the said Act undetermined; Therefore, it is Statute that they shall prescrive 7. years within after the Date of this Act (which is the 13. of *May* 1685) if they be not Renewed within that time, *Act* 15. *Par.* 1. *Sess* 1. *Ja.* 7*th.*

Item, That in Citations for Interruptions as to the Rights of Lands, and Wakenings thereof, Coppies shall be Affixt on the Church-door of the Paroch, and that *ultra* what is required by the saids Acts. *Ibid.*

That seing, during the time from His Majesties Landing in *Britain*, to the 15. of *October* 1689, there was no ordinar Judicatory by which Actions could be Pursued; therefore, in all short Prescriptions the time foresaid shall not be reckoned, but be Deduced therefrom; and that in Adjudications, & all other Deeds which the Law or Agreement of Parties require to be done within a certain time; that the said time shall be unprofitable, and not be compted, *Act Sess.* 2. *W.* and 40. *Par.* 1. *M.*

PRISONERS.

PRisoners, who shall make Faith that they are not able to Aliment themselves; and which being Intimat to these at whose Instance they are Incarcerat they shall be obliged to give

Security for payment to them, not under 3. ℔. *per diem*; which if they do not within Ten days, the Priſoners are to be ſet at Liberty, *Act* 32. *Seſſ.* 6. *Par.* 1. K. *W.*

PROPHANENESS.

PResbyteries are Ordained to Appoint one, or moe within any Bounds, whom they ſhall think fit to choiſe, to take notice of the Prophanities, Vices, and Immoralities committed therein, and to proſecute theſe Guilty before the Magiſtrats of the Bounds conform to the Tenor of the Acts thereanent, allowing them out of the Fines their Expenſes: and alſo, ſuch ſort of Rewards as the Lords of Council ſhall think fit, *Act* 40. *Seſs.* 5. *Par.* 1. *K. W.*

Item, All Judges are required to put the Laws againſt Prophaneneſs to Execution, and that againſt all Perſons, whether Officers, or Souldiers, or any others without exception, *Act* 13. *Seſſ.* 5. *Par.* 1. *K. W.*

Item, If any of the Judges refuſe, or neglect the ſame, upon Dilation made by the Miniſter and Seſſion, and Probation offered by them thereof, They ſhall be Fined in the Sum of 100. *lib. Scots* to be Applyed for the *Poor* of the *Paroch. Ibid.*

Item, It is Declared, that the Agent for the Kirk, Miniſter of the *Paroch*, or Kirk-Seſſion, ſhall have good Intereſt to Purſue the ſame Judge who ſhall refuſe, or neglect to do as ſaid is before the Lords of Seſſion, and that by ſummar *Proceſs*; and that it ſhall be ſufficient *Probation* againſt the Judge, that there be an Inſtrument under a Nottars hand, and Witneſſes, alſo Signing

ing, and Deponing, that the Judge was Informed, and probation offered as ſaid is, unleſs the Judge Inſtruct that he gave Order to Cite the Party complained on within the ſpace of ten days, and give a relevant reaſon why the Law was not put in Execution. *Ibid.*

Item, It is Statute, that in every Paroch where either Sheriff, or any other Judge therein mentioned (Juſtices of *Peace* are not here ſpoken off) ſhall happen to reſide, they are required to put the Laws in Execution againſt Prophanity, at the Inſtance of any *Perſon* who ſhall *Purſue* the ſame, Certifying them, if they Failzie, the Lords of Council will nominat Baillies in that part to Judge, and Execute the Laws in their place, *Act* 3. *Seſſ* 6. *Par.* 1. *K. W.*

Item, That no pretence of Different Perſwaſion in matters of Religion ſhall exeem the Delinquent from *Puniſhment*. *Ibidem.*

All Acts againſt Prophaneneſs Renewed and Confirmed; and in ſpecial, the Act dated the 11. of *September* 1672, with the whole Acts therein-mentioned, and all manner of Execution therein-preſcribed, *Act* 25. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

PROCURATORIES, *and* PRECEPTS.

THat Procuratories of Reſignation, and Precepts of Seaſine granted, or to be granted ſhall in all time-coming, not only be in Force for Reſigning, and taking Infeftment in favours of the Parties themſelves; but likeways of their Heirs, Aſſigneys, or Succeſſors having Right thereto, either by a general Service, or Diſpoſition,

or Adjudication as well after as before the Death of the Granter, or Parties to whom they are granted, or both, *Act* 35. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, It is provided, that the Inſtruments taken after the Death of either Party, expreſs the Titles of theſe in whoſe Favours the Reſignation is made, and Seaſine given, and that the ſame be deduced therein; otherways to be null and void. *Ibidem.*

Nota, *Precepts of* Clare Conſtat *are here from excepted.*

Q

QUARTERS.

FRee Quarters Diſcharged; and Methods preſcribed for Taxing the Rate of Quarterings; and alſo, of Paying the ſame, *Act* 4. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

R

REBELLS.

THe Concealing, and not Revealing of Supplies given to, or Demanded for Traitors, or Rebells Forfaulted for Treaſon againſt the King's Perſon and Government, is Declared Treaſon, and the Sentence of Juſticiary for that Crime ratified, *Act* 7. *Par.* 1. *Seſſ.* 1. *Ja.* 7th.

A Proclam-

A PROCLAMATION of His Majeſties *Privy* Council dated *July* 8. 1682, anent the Diſcovering, and Apprehending Perſons in Arms, being Rebells and Fugitives, ingroſſed and Ratified; As alſo, ſeveral other Acts of Parliament relative thereto, and Co-incident therwith, *Act* 25. *Par.* 1. *Seſſ.* 1. *Ja.* 7th.

Item, That no *Perſon* ſhall be lyable for the Crimes of Reſet, and Intercommuning, unleſs it be *Proven* that he knew the Party that he Reſetted and Correſponded with: And that notwithſtanding of any Law, or *Practick* in the Contrair, *Act* 33. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

RECOGNITION. See *Inhibition.*

RECORDS.

ALL Clerks within the Kingdom, who keep ſuch Records or Regiſters as are, or have been in uſe to be Delivered in to the Clerk Regiſter, to be *Preſerved* in the General Regiſter-Houſe, ſhall give in their Books preceeding the *firſt* of *Auguſt* 1679. And that befor the *firſt* of *November* 1685; And that hereafter they ſhall keep only Ten years Records in their own Hands for the uſe of the Leidges, under ſuch Pains as the Lords of Seſſion ſhall think fit, *Act* 33. *Par.* 1. *Seſſ.* 1. *Ja.* 7th.

REGISTERS.

REGISTERS.

THat all Keepers of Regiſters keep Minut-Books; and therein expreſs the Hour when, and the Deſignations of the Perſons by whom the Writs ſhall be Preſented; and that the ſaid Minut be Signed, both by the Preſenter and Keeper, and made Patent to the Leidges Gratis, *Act* 14. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, That all Regiſtrable Writs may be Recorded after the Death of the Creditor, at the Inſtance of his Heir, *&c.* *Act* 15. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

Item, That a ſpecial Aſſignation, though not Intimat ſhall have the ſame effect, as if the Granter were ſtill on Life. *Ibid.*

Item, If the Purſuer ſhall Die during the Dependence of any Proceſs, that his Repreſentatives may upon Production of their Title, or ſpecial Aſſignation Inſiſt in the Principal Cauſe without any Transferring Active, *Act* 15. *Seſs.* 4. *Par.* 1. *W.* and *M.*

But Transferrings paſſive, are to Proceed as formerly. *Ibidem.*

REGISTRATION *in the* BOOKS *of* SESSION.

THat there be only three Offices of Ordinary Clerks of Seſſion in time-coming; and that in each of theſe Offices, there be only two Perſons joyned without tarder Alteration of any Part of the Office, *Act* 38. *Par.* 1. *Seſs.* 1. *Ja.* 7th.

Item,

Item, That they have the only Right as Deputs to the Lord Regiſter to be Clerks to all Proceſſes before the Seſſion; and to the Regiſtrating, and Extracting of all Writs there, and have Right to all the Emoluments whereof the ſaid Clerks are in *Poſſeſſion*. *Ibid.*

Item, For preſerving of Principal Writs, that there be an Regiſter apart in each of the ſaids Offices for Regiſtration of all Writs; and that there be one or two appointed for taking in the Writs from whom they are to take Caution for Recording and Preſerving thereof. *Ibid.*

Item, That there be two Minut-Books kept in every Office; in one whereof is to be Inſert, the Writs given in, the Name of the Ingiver, and the Date of the Ingiving; which is to be Subſcribed by the Clerk or his Deputes; and which ſhall be Booked within the ſpace of one Year after the Ingiving. *Ibidem.*

Item, If any Party ſhall deſire up a Writ given in, within the ſpace of ſix Months after its Ingiving, then the Title of the Writ, Name of the Party, and the Date of both the Ingiving, and Outgiving thereof, ſhall be Inſert in the other Minut-Book, and Signed bythe Receiver *Ibid.*

Item, That no Clerk of Inferiour Courts Regiſtrat any Writs there, either for Conſervation or Execution, to paſs againſt Parties Living without their Juriſdictions under the Pain of Deprivation, and 500. *Merks* beſide, an Half to His Majeſty, and the other to the Purſuer. *Ibid.*

Item, The Regiſter is to have 20. *ſhilling Scots* for each Subſcription. *Ibid.*

REGISTRATION

REGISTRATION *of* Seaſines, *and other* Writs.

IT is Declared, that no Seaſine, or other Writ, or Diligence appointed to be Regiſtrat ſhall be of any Force, or effect againſt any but the Granter, and his Heirs unleſs it be duely Booked: And the 19. *Act*, *Seſſ.* 2. *Par.* 1. K. *Ja.* 7*th.* is Reſcinded as contrair thereto, *Act* 18. *Seß.* 6. *Par.* 1. *K. W.*

Item, The haill other Clauſes of the ſaid Reſcinded Act are Ratified; and it is Declared that Parties leſed by negligence of Clerks in Booking ſuch Writs, and which they Atteſt on the Back to be Regiſtrat ſhall have Action of Damnage againſt the Clerks, and their Heirs though it be not Commenced in the Clerks Life. *Ibid.*

REGISTRATION *of* Summonds *uſed for* Interruption.

IT is Statute that all Summonds made uſe of for Interruption of Preſcription of Real-Rights ſhall paſs upon a Bill, and contain the Grounds upon which it proceeds; and that the Summonds and Executions thereof, and all Inſtruments of Interruption be Regiſtrat in the particular Regiſter to be keeped at *Edinburgh* within 60. Days after the Date of the Execution and Inſtrument foreſaid; Declaring otherways that Interruption ſhall be of no Force, except as to the Perſons againſt whom the ſame is Execute, and

and Instruments taken, *Act* 19. *Sess.* 6. *Par.* 1. *K. W.*

Item, All Summonds already rais'd, or Instruments taken as said is, are to be Registrat *ut supra*, within a year after the Date of the Act, which is the 9. of *October* 1696, under the Certification foresaid. *Ibid.*

Item, That all Writs Registrable may be Registrat after the Granters Death, *Act* 39. *Sess.* 6, *Par.* 1. *K. W.*

REGULATION *See* COMMISSION.

COmmission granted for Regulating of Judicatories in Prosecution of the Commission formerly granted; and Ratified by the 16. *Act* of the 3*d Session*, *Par.* 2*d Cha.* 2*d* Impowering them to take Trial of all Abuses Exorbitancies, or Exactions practised in any Judicatorie within the Kingdom; And to Transmitt an Account thereof to Their Majestie's, that they may signifie Their Pleasure thereanent, *Act* 34, *Par.* 1. *Sess.* 4. *W.* and *M.*

Item, For preventing the like Abuses for the future, they are Authorized to make such Acts for Regulating the same, under such Penalties as they shall think fit; which being Approven under Their Majesties hand, the *Parliament* does Ratifie. *Ibidem.*

Item, They are Appointed to set down such distinct Rules for Inferiour Courts as to their Competency, and the Nature of their Jurisdicti-

on

on to be Observed by them, under the Penalties therein mentioned. *Ibid.*

RELIGION.

THe Protestant Religion Ratified, and all Acts and Statutes formerly past for Security thereof, *Act* 1. *Par.* 1. *Sess.* 1. *Ja.* 7*th.*

RENTS *and* REVENUES.

See KING.

RETENTION.

REtention of one of the Six of the Hundred, for Annualrents allowed from *Whitsunday* 1690, to *Whitsunday* 1691, *Act* 2*d Sess.* 3*d Par.* 1: *W.* and *M.*

Item, The like Retention is granted from *whitsunday* 1695, to *Whitsunday* 1696, *Act* 7. *Sess.* 5. *Par.* 1. *K. W.*

Item, The like Retention for an Year and a Half, *viz.* from *Martinmass* 1696, to *Whitsunday* 1698, *Act* 1. *Sess.* 6. *Par.* 1. *K. W.*

RENT

RENT and REVENUE. See KING.

A PROCLAMATION for Inbringing the bygon Arrears of the publick Revenue, *Act* 3. *Conven. March* 18. 1689.

ROBBERY.

RObbing of the Pacquet, or Seizing of the Mail with the Letters, and Diſpatches coming, or going, either by the Common Poſt, or Expreſs, is Robbery; and ſhall be puniſhed by Death, and Confiſcation of Moveables, *Act* 3. *Par.* 1. *Seſs.* 3. *W.* and *M.*

That where Robbery, or Depredations are committed in the Shires of *Argyle*, or others ſpecified in the Act after-mentioned, the whole Heretors, Liferenters, and proper Wadſetters within the Paroch where they are Committed, and nixt adjacent thereto, ſhall be lyable to Reſound the Party Damnified, according to the Proportion of their valued Rent within the ſaids Paroches, *Act* 4. *Seſs.* 3. *Par.* 1. *W.* and *M.*

Item, The Heretors are allowed to exact the Half of what they pay, from the Tennents dwelling in their Lands for their Relief. *Ibid.*

Item, The Loſſes by ſuch Depredations are to be

Liquidat by any Three of the Commissioners of Supply. *Ibid.*

Where there are several other things in order thereto.

RUM.

MAking of Rum Discharged, except for Export, under the Pain that the Maker shall lose the Priviledge of Manufactories, and be otherways *P*unished as the Lords of Privy Council shall think fit, *Act* 39. *Sess.* 5. *Par.* 1. *K. W.*

This Act *is Rescinded by the* 7. Act *of the* 6th Session *of the said Parliament.*

RUN-RIG.

WHere Lands of different Heretors lye Run-rige, it shall be leisum to either Party to apply to Sheriffs, Stewarts, Lords of Regality, or Justices of Peace, to the effect that they may be Divided according to their respective Interests; and that after Citation of all Concerned, at an certain Day to be prefixed by the said Judge, *Act* 23. *Sess.* 5. *Par.* 1. *K. W.*

Item, The Judge is restricted, so as that special regard may be had to the Mansion-Houses of the respective Heretors, and that there may be Adjudged to them the respective *P*arts of the Division as shall be most commodious to the respective Houses, and Policy. *Ibid.*

Item, It is Declared, that the same shall not extend to Burrows and Incorporat Acres. *Ibid.*

S

S

SALT.

THat all Persons making Salt upon Salt, shall have the Priviledge of Manufactories, *Act* 44. *Sess.* 6. *Par.* 1. *K. W.*

SCHOOLS.

THat there be a School settled in every Paroch; and a Sallary modified to the Master, not under 100. *merks*, nor above 200. *merks*, and that the same be laid on according to the valued Rent of the Paroch; allowing each Heretor Relief from his Tennents of the half of his Proportion; and the said Sallary is to be by, and attour the Casualities belonging to the Readers, and Clerks of Session, *Act* 26. *Sess.* 6. *Par.* 1. *K. W.*

Item, If the Heretors neglect the same, then the Presbytery shall apply to the Commissioners of Supply, who, or Five of them shall have Power to do the same, which shall be als valid as if done by the Heretors themselves, *Ibid.*

Item, If two Terms run in the Third unpayed, They shall be lyable in Double their Proportions then resting; and in Double of every Terms Proportion that shall be resting thereafter; and

Letters of Horning, and other Executorials are Ordained to paſs thereon; and Suſpenſions Diſcharged, except upon Conſignation, and to be ſummarly Diſcuſt. *Ibid.*

Item, Liferenters are to be lyable for the Lands Liferented; and if the Proportions be not equally Impoſed, Redreſs is to be had from the Commiſſioners of Supply, Sheriffs of the Shire, or other Judge competent, within Year and Day after it is Impoſed. *Ibid.*

Item, It is Declared, that the Providing of Schools is a Pious Uſe; and to which the Patron may apply any vacand Stipends within the Paroch. *Ibid.*

SEASINES. See REGISTRATION.

THat all Real-Rights, whereupon Seaſine ſhall be taken, ſhall be preferred, according to the Date, and Priority of the Regiſtration thereof, without any farder, *Act* 13. *Seſſ.* 4. *Par.* 1. *W.* and *M.*

That it ſhall be leiſum to Write Seaſines by way of Book, the Nottars Atteſt condeſcending on the Number of Leaves; and each Leaf Signed by the Nottar, and Witneſſes to the giving thereof, *Act* 17. *Par.* 1. *Seſſ.* 2. *Ja.* 7th.

Where Seaſines and other Writs are preſented to the Keepers of the Regiſter, and Delivered back to the Party, bearing an Atteſtation under their hand; and that the ſame are Regiſtrat, it ſhall

shall make the samen sufficient for Security of the Party, albeit they should not be found Booked in the saids Registers, *Act* 19. *Sess.* 2. *Par.* 1. *Ja.* 7*th*.

This is Rescinded by the 18. Act, Sess. 6. Par. 1. K. W.

Item, That in case, by their Neglect, any Writ presented to them, and marked by their Hands to be Registrat, shal not be found Booked therein; they shal be punishable as Forgers of the Publick Records, and lyable in Damnage to the Party prejudged by their Neglect, as said is. *Ibidem*.

Item, This shal no ways derogat from the sixteenth Act of the twenty second Parliament *James* sixth, Intituled, Act anent Registrations of Reversions. *Ibidem*.

SESSION. See *Registration*. See *Vacancy*.

THat the Dyets for the Sitting of the Session, shal be thus for the future, *viz*. The Winter Session shal sit down the first of *November*, and rise the last of *February*: And the Summer Session shal sit down the first of *June*, and rise the last of *July*, *Act* 5. *Par.* 1. *Sess.* 2. *Ja.* 7.

SHERRIFFS and their CLERKS. See *King, Souldiers*. *Ibidem*.

SHIPS. See *Passengers.*

AN Embargo laid upon all Ships, and other Veſſels on the Weſtern Coaſt, *Act* 19. *Conv. Aprile* 16. 1689.

SHIRE.

SEveral Lands are Disjoyned from the Shires of *Fife* and *Perth*, and Annexed to the Shire of *Kinroſs*, in Favours of Sir *William Bruce*, Heretable Sheriff thereof, *Act* 45. *Parl.* 1. *Seſſ.* 1. *Ja.* 7.

SIGNET.

THat all Letters and Writs, paſſing the Signet of the Lords of Seſſion, be Subſcribed by a Writer as Clerk thereto; except Letters of Diligence in Proceſſes before the Seſſion, and Letters for Citation before the Parliament, which are to be Signed by the Clerks of Seſſion, *Act* 40. *Seſſ.* 5. *Parl.* 1. *K. W.*

SKINNERS.

ALL Perſons Diſcharged to Import any Forraign made Gloves, of whatſoever Sort; Certifying, that they ſhal not only Forfault the Goods, or Value thereof, the one half to the King, and the other to the Informer, but be further lyable in ſuch Pains, as the Lords of Exchequer ſhal think fit, *Act* 36. *Seſſ.* 5. *Parl.* 1. *K. W.*

Item,

Item, It is Declared, that the ſaid Act ſhal take Effect after the firſt Day of *Auguſt* next. *Ibidem.*

Nota, *The Act being Dated* July 17. 1695, *it cannot be underſtood, how the ſame could be ordained to take Effect, until fourty Days after Promulgation, conform to the former Acts of Parliament thereanent, unleſs theſe Acts had been firſt Reduced, and that Act alſo Promulgat.*

Item, Any Perſon Concerned, with Concourſe of a Magiſtrat, is Impowered for to Search the foreſaid Goods, Prohibit to be Exported, *viz.* Wild Skins: As alſo, Gloves made and Imported. *Ibidem.*

STEALING.

WHoſoever ſhal Steal an Haulk out of the Neſt or Air, or take a Collar from a Dog's Neck, or Vervells from a Haulk, with the Maſters Name or Stile thereon, ſhal be Fined in five Hundred Merks, *Act* 21. *Seſſ.* 1. *Par.* 1. *Ja.* 7.

Item, Whoſoever ſhal give away any Haulk, or Dog, or Sell them which are not their own, ſhal be Fined in a Hundred Pounds. *Ibidem.*

Item, Whoever finds a Dog Straying, having a Collar, or Haulk with Bells, or Vervells with Inſcription thereon; and takes the ſame, ſhal, within fourty eight Hours, Book the ſame in the Sheriff-Clerks Books, bearing the Inſcription, for which the Clerk ſhal have half a Merk, which the

the Owner ſhal be obliged to Re-pay, together with two Shilling *Scots* for each Mile, that the Bearer ſhal be ſent for Booking thereof: And if the Owner ſhal not Claim the ſame, within ſix Moneths after the Booking, the ſame ſhal belong in Property to the Poſſeſſor: And if the Taker, or Keeper, ſhal failzie to Cauſe Book the ſame, as ſaid is, he ſhal pay the Sum of fourty Pounds *Scots* to the Owner. *Ibidem.*

STIPENDS.

THat the Vaccant Stipends of all Kirks, in time coming, ſhal be employed upon Pious Uſes, within their reſpective Paroches: And ſpecially, in Buliding and Repairing of Kirks, and Bridges; or for the Uſe of the Poor, as the Patron ſhal determine yearly, wherein if he failzie, he loſes his Right of Preſentation for the next Vice, *Act* 18. *Par.* 1. *Seſſ.* 1. *Ja.* 7. Excepting particular Vaccancies, which are, for the next five years after the twenty ſecond of *May* 1685, to be applyed for the particular Uſes therein-mentioned; which, after the elapſing thereof, is to be applyed in manner foreſaid. *Ibidem.*

Item, It is always provided, that the Maintaining of the Manſe, is to be out of the firſt and readieſt Stipends at all times. *Ibidem.*

Item, The Act is not to be extended to Vaccancies, where the King is Patron, nor to Menſal or Patrimonial Kirks belonging to Biſhops. *Ibidem.*

SUPERIORITY,

SUPERIORITY.

ALL Superiorities that formerly belonged to Biſhops, Deans, Chapters, or any other Benefices which depended upon Prelacy, do now, and ſhal hereafter pertain to Their Majeſties, to be holden of them, as they held of the ſaids Dignities, *Act* 29. *Par.* 1. *Seſs.* 2. *W.* and *M.*

Item, All Services of Heirs, (ſince the Eſtabliſhing of Prelacy) whereby Heirs are Served to theſe Lands, to be holden of Their Majeſties, are declared valid; and all other Heirs are to be ſo Served in time coming. *Ibidem.*

Item, It is declared, that it ſhal not be leiſum to Interpoſe any other Superior, betwixt Their Majeſties and the ſaids Vaſſals: And if any Perſon do in the contrary, the Deed is declared null, even albeit the Vaſſal conſent thereto. *Ibidem.*

THat the Signatures and Charters of all Vaſſals of Kirk Lands, to whom Their Majeſties is now Superior, whoſe Valuation is within a hundred Pounds *Scots*, and above ten Pounds, ſhal be paſt and expede through the Regiſters and Seals, for Payment of ten Pounds *Scots* only, for Fees in the Exchequer, Dues at the Signet, Seals, Drink-Money, or any others whatſoever, *Act* 32. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Item, That the Signatures of ſuch Vaſſals, whoſe Valuation is but two hundred Pounds, or under, but above a hundred Pounds, ſhal pay fifteen Pounds *Scots*, upon the Account foreſaid:

And

And further, be free of paying the Seasin Ox to the Sheriff: And the Dues to be payed by them to the Sheriff for their *Equies*, shal not exceed the twenty part of the Fue Duty. *Ibidem.*

Item, Where the Valuation is only ten Pounds *Scots*, or under, that their Charter shal pass the Great Seal only, and that *per saltum & gratis*, as to all Dues whatsoever. *Ibidem.*

Item, The Vassals of Kirk Lands in *Orkney* and *Zetland*, where their Valuations do not exceed twenty Pounds, they are to Possess by their valid Rights, without necessity of renewing their Infeftments. *Ibidem.*

SUPPLY. See *King.* See *Pole-Money.* See *Coynage.* See *Annualrents.* See *Hearth-Money.*

AN Offer of 216000 Pounds Yearly, payable at *Whitsunday* and *Martinmass*, beginning at *Whitsunday* 1685, and so furth Termly: And that over and above the five Moneths Cess, formerly Impos'd by the third Act of the Parliament 1681; so that there will be four Moneths Cess payable at each Term hereafter, during all the Terms of His Majestie's Life, beginning at *Whitsunday* 1685, (as said is) *Act* 12. *Par.* 1. *Sess.* 1. *Ja.* 7. *Which contain several Clauses anent the Way and Manner of Uplifting thereof.*

FOur Moneths Supply ordained to be raised, for Maintainance of the Horse and Foot to be Levied, *Act* 32. *Conv. Aprile* 27. 1689.

A

A Supply offered to Their Majesties, of two Millions, nineteen Thousand, seven Hundred, and Thirty Three Pounds *Scots*, extending to twenty eight Moneths Cess, to be raised out of the Land Rent of the Kingdom, to be payed at the Terms therein-mentioned, beginning the first four Moneths Cess at the first of *July* 1690, and to end at *Lambmass* 1694, *Act* 6. *Parl.* 1. *Sess.* 2. *W.* and *M.* And also several other Supplies, granted in the third, fourth, fifth, and sixth Sessions thereof.

SUPREMACY.

HIS Majestie's Supremacy over all Persons in all Causes, as being Inconsistent with the Establishment of the Church Government, is abrogat: And the first Act of the second Parliament, *Charles* the second, asserting the same, rescinded, *Act* 1. *Parl.* 1. *Sess.* 2. *W.* and *M.*

SUSPENSIONS.

THat where any Suspension shal be found to have been Calumniously raised, then the Lords shal decern for Expenses and Damnage, to be given up in a particular Accompt, and deponed by the Charger, and that without any Defalcation: And if the Charge shal be found Malicious, the Suspender is to have the same Justice, *Act* 22. *Sess.* 6. *Par.* 11 K. *W.*

T

T

TAILZIES.

THat it ſhal be lawful to all Subjects, to Tailzie their Eſtates, and Subſtitute Heirs with ſuch Proviſions as they ſhal think fit, and to Affect them with Clauſes Irritant, whereby it ſhal not be lawful to the Heirs, to Sell the Lands, or any part thereof, or Contract Debt, or do any other Deed, whereby the ſame may be Adjudged, or Evicted from the other Heirs Subſtitute, *Act* 22. *Seſſ.* 1. *Par.* 1. *Ja.* 7.

Item, All ſuch Deeds are declared null and void, and the Contraveeners Right, may thereupon be declared null, at the Inſtance of the next Heir Subſtitute, and that he may Serve Heir to him, who died laſt Infeft, before the Contraveener, without neceſſity of Repreſenting him. *Ibidem.*

Item, That ſuch Tailzies ſhal be only allowed, where the Irritancies, and other Clauſes are inſert in the Procuratories of Reſignation, Charters, Precepts, and Seaſins. *Ibidem.*

Item, That there be a particular Regiſter Book keeped, wherein ſhal be Recorded the Names of the Maker of the Tailzies, and of the Heirs of Tailzie, and Deſignation of the Lands, and the Conditions and Proviſions, with the Irritant and Reſolutive Clauſes ſubjoyned thereto, to remain therein

therein *ad perpetuam rei memoriam*: To which, the Lords of Seſſion are ordained to Interpoſe their Authority, for the Effect foreſaid. *Ibidem.*

Item, The Regiſter, and his Deputs, are to have ſuch Dues, as are payed to them for Regiſtration of Seaſins. *Ibidem.*

Item, All Proviſions and Irritant Clauſes, ſhal be Repeated, in all the ſubſequent Conveyances of the Tailzied Eſtate, to any of the Heirs; which is declared to be real and effectual againſt the Contraveeners, and their Heirs: and alſo, againſt their Creditors, or Succeſſors whatſoever. *Ibidem.*

Item, If the ſaids Proviſions and Irritant Clauſes, ſhal not be Repeated in the Rights and Conveyances, whereby any of the Heirs of the Tailzie ſhal Bruik the ſaid Eſtate, the Omiſſion thereof, ſhal import a Contravention of the ſaids Irritant and Reſolutive Clauſes, againſt the Omitter and his Heirs, whereby the ſaid Eſtate ſhal, *ipſo facto*, devolve to the next Heir of Tailzie, but ſhal not militat againſt Creditors, or Singular Succeſſors, who have Contracted *bona fide* with them, who ſtood Infeft without the ſaids Clauſes. *Ibidem.*

Item, Its declared, that nothing above-mentioned, ſhal prejudge His Majeſty, as to Confiſcations or Fines, or His Majeſty, or any other lawful Superior of the Caſualities of the Superiorities, which may accreſce to them: And that theſe Fines and Caſualities, ſhal import no Contravention of the ſaids Irritant Clauſes. *Ibidem.*

TEINDS. See *Kirk* and *Stipends*.

TENNENTS. See *Pole-Money.*

THat all Tacks to be Set, whether in Burgh or Landward, expreſly bear the Tennent to be bound, that he, his Family, and Cottars, ſhal live regularly, free of all Diſorders, under the Pain of Loſing of the half of their Moveables reſpective, each for their own Fault, *Act* 24. *Par.* 1. *Seſſ.* 1. *Ja.* 7.

Item, Where there is no Written Tack, that the Tennents Enact, or give Bond to that Effect, and in the Tenor foreſaid: And the Maſter failzieing, is to pay an Years Rent of the Lands ſet otherways, a third Part thereof to the Diſcoverer, and two Parts to the King. *Ibidem.*

Item, All Maſters and others, who have ſet Tacks already, without the ſaids Clauſes, are ordained to renew the ſame, and to inſert theſe Clauſes betwixt and *Whitſunday* 1686; or to have an Obligement apart for that Effect: And ſummarly to remove ſuch Tennents, as ſhal refuſe the ſame, whoſe Tacks are declared void: And if they will not remove, the Maſter may commit them to Priſon: Likeas, the Tennent refuſing to renew his Tack, or give Bond in the Terms foreſaid, ſhal pay his Maſter an Years Rent of the Lands ſet to him. *Ibidem.*

TEST.

THat all Proteſtant Heretors, Liferenters, either *proprio jure*, or *jure mariti*, Wadſetters and Tackſmen, for longer than eighteen years, all Maſters of Ships, all Burgeſſes and Inhabitants of Burghs, either Royal, or Regality,

gality, or Barrony, as are not Heretors; and who ſhal be appointed by the Council, ſhal take the Teſt preſcribed by the ſixth Act of the Parliament 1681, betwixt and the days therein-mentioned, under ſuch Pecunial Pains, as the Council ſhal determine; excepting ſuch as have already taken the ſame, *Act* 3. *Par.* 1. *Seſſ.* 1. *Ja.* 7.

TESTAMENT.

COmmiſſars and their Fiſcals, are diſcharged to Charge any Perſon to Confirm Teſtaments, or to give up Inventars of the Goods of any Defunct, except at the Inſtance of the Relict, Bairns, neareſt of Kin, and their Tutors and Curators, or of a Creditor, declaring all Charges otherways given, to be null, *Act* 26. *Par.* 1. *Seſſ.* 2. *W.* and *M.*

Item, Where ſpecial Aſſignations are made by the Defunct, though not Intimat in his Life, it ſhal be valid, without Confirmation of the Goods therein-contained. *Ibidem.*

Nota, *It ſeems by this, that general Aſſignations not intimat, are to be Confirmed as formerly.*

Item, It is declared, that the ſame ſhal be but prejudice to the Competition of the Creditors, and others, of their Rights and Diligences as formerly. *Ibidem.*

THANKSGIVING.

A Publick Thankſgiving appointed for the Deliverance of the Nation from Popery and Arbitrary Power, upon the days therein-mentioned, *Act* 31. *Conv. Aprile* 26. 1689.

TRADE.

ACT For Communicating the Trade propper to Royal Burrows, to the Burghs of Regality, Barrony, and others, upon the Relieving of a proportional part of the hundred Pounds of the Taxt Roll, Impoſed upon them by Act of Parliament, effeiring to their Trade; and that for the ſpace of three or five Years, as ſhal be agreed by Contract betwixt the Agent of the Royal Burrows and them, *Act* 31. *Seſs.* 4. *Par.* 1. *W.* and *M.*

Item, That Merchants may Contract, and enter into Companies and Societies, for Carrying on of Trade, as to any Subject, or Sort of Goods, to whatſoever Parts of the World, not in War with Their Majeſties, *Act* 32. *Seſs.* 4. *Par.* 1. *W.* and *M.*

Item, They are allowed all the Privileges, that are given to Companies allowed to be Erected for Manufactories. *Ibidem.*

Item, They are to have Letters Patent, granted to them under the Great Seal, for that Effect. *Idem.*

Item, In Purſuance of the ſaid Act, His Majeſty doth Conſtitute the Perſons therein-named, with ſuch others as ſhal joyn, within the ſpace of a Year after the firſt of *Auguſt* 1695; and all others, whom theſe Named, ſhal Adjoyn to them, to be a free Corporation, by the Name of the Company of *Scotland*, Trading to *Affrica* and the *Indies*, *Act* 8. *Seſs.* 5. *Par.* 1. *K. W.* Dated *June* 26. 1695.

Item, The leaſt Stock to be given in by each Partner, is a hundred Pounds *Sterline*, and the greateſt, three thouſand Pounds *Sterline*. *Ibidem.*

Item,

Item, The particular Rules, for Managing the Priviledges of the Society, are therein at length ſet down. *Ibidem.*

Item, It is declared, that it ſhal be leiſum for Magiſtrats of Burghs, or the Adminiſtrators, or Maſters of any Incorporation within the Kingdom, to Adventure, and put in their Money for a Share, to be Purchaſed to the Burgh, or Incorporation, in the Company foreſaid: And that the ſame ſhal be repute a Deed of lawful Adminiſtration, *Act* 42. *Seſſ.* 5. *Parl.* 1. *K. W.*

TREASON. See *Covenant*. See *Concealing*. See *Rebels*. See *Witneſſes*. See *Juſticiary*. See *Forfaulture*.

AN Approbation of the Opinion of the Lords of Seſſion, given by them upon the day of *November* 1684, finding, That if any Subject owne a late Traiterous Proclamation, Declaring War againſt His Majeſty, and aſſerting, that it is lawful to Kill ſuch as ſerve him, are guilty of High Treaſon, and Art and Part of the ſaid Declaration: As alſo, all who ſhal not diſowne the ſame, being Queſtioned thereanent by any of His Majeſties Judges, *Act* 23. *Par.* 1. *Seſſ.* 1. *Ja.* 7.

TRUST.

THat no Action of Declarator of Truſt, ſhal be ſuſtained as to any Deed of Truſt made for hereafter, *viz.* the ninth of *October* 1696, except upon a Declaration, or Back-Bond of Truſt, ſubſcribed by the Perſon Truſtee:

And against whom, or his Heirs or Aſſigneys, the Declarator ſhal be intented, or unleſs the ſame be referred to the Oath of Party *ſimpliciter*: But this is not to extend to the Indorſation of Bills of Exchange, or Notes of any Trading Company, *Act* 25. *Seſſ.* 6. *Par.* 1. *K. W.*

TUTORS.

That it ſhal be lawful for the Father, by any Act or Deed in his *Liege Pouſtie*, to make a Nomination of ſuch Perſons as he thinks fit, to be Tutors, and alſo Curators to his Children, during their Minority, containing this Proviſion, that they ſhal not be lyable for Omiſſions, but for their actual Intromiſſions with the Means and Eſtate, deſcending from the Father, and other Deeds of Adminiſtration thereanent: And that each of them ſhal only be lyable for himſelf, and not *in ſolidum* for others, *Act* 8. *Seſſ.* 6. *Par.* 1. *K. W.*

Item, That the Curators ſo Nominat, accepting before the Judge ordinary in the Terms of the Nomination, ſhal have Right to Exerce the Office, during the Years of the Minority. *Ibidem.*

Item, It ſhal be lawful and free, for thoſe who ſhal accept to Exerce the Office of Tutory, to decline, or accept as Curators, after the Pupillarity expires, as they ſhal think fit. *Ibidem.*

Item, That if the Condition of any of the Tutors, or Curators to be Named, with the Qualities above-ſpecified, ſhal change, and become ſuch as any near Relation to the Pupil, or Minor, ſhal think fit to repreſent the ſame to the Lords of Seſſion, to the End after-mentioned; then in that caſe, the Lords are Impowered, upon

on a Citation, without abiding the Order of the Roll, to ordain the foresaid Tutor and Curator, upon such Reasons as they shal find probable, either to find good and sufficient Caution, otherways to remove him. *Ibidem.*

Item, That nothing in the said Act, shal liberat them from making Inventars. *Ibidem.*

Item, That all Actions of Compt and Reckoning, competent to Pupils and Minors against their Tutors and Curators, not Pursued and Insisted in, within the space of ten Years after the Majority of the saids Pupils or Minors, or after their Death, (they dying in their Minority) shal, after that time, Prescribe for ever, and they shal be as fully freed from the saids Pupils and Minors, as if they, after their Majority, had fully discharged the same, *Act 9. Sess. 6. Parl. 1. K. W.*

Item, That the contrary Action, at the Instance of their Tutors and Curators, shal also Prescribe in the said space. *Ibidem.*

Item, It is declared, that the said Prescription shal not run against Minors: As also, that all the foresaids Actions already raised, or competent to be raised, by either of the saids Parties *hinc inde*, shal, in like manner, Prescribe within ten Years after the Date of the said Act, which is the twenty fifth of *September* 1696. *Ibidem.*

U

UNION.

NOmination of Commissioners to Treat anent the Union of the Two Kingdoms, *Act 26. Conven. April* 23. 1689.

UNIVER-

UNIVERSITIES, SCHOOLS and HOSPITALS.

THat the Priviledge granted in Favours of Miniſters for the more eaſie Ingathering of their Stipends, *viz.* that there be no Suſpenſion, but on Conſignation; and alſo the Allowance of Expenſes, and ſummar Proceſs be alſo Extended to theſe, *Act* 14. *Seſſ.* 6. *Par.* 1. *K. W.*

V

VACANCIE.

THe Chriſtmaſs Vacation of the Seſſion, ſhall in time-coming endure from the 20. of *December*, to the 10*th* of *January* Inclusivè, *Act* 6. *Seſs.* 2. *Par.* 1. *Ja.* 7*th.*

It is Statute, that the Collectors allowed to be Nominat by each Presbytery, by Act of Parliament 1695, for uplifting 20. *merks* out of the Vacant Stipends within the Bounds thereof, where the ſame is yet unpayed, and the Stipends not uplifted; The ſaids Collectors are Impowered to uplift as much from any Heretor lyable in as much Stipend, or from the Patron or Collector, in caſe they have uplifted the ſame; Ordaining alſo, ſummar Proceſs therefore, before any Judge competent; and that the ſame ſhall be due to the Preacher, though he Preach but once a Day, *Act* 13. *Seſſ.* 6. *Par.* 1. *K. W.*

VICTUAL.

AN Ratification of the *3d Act, 3d Sess. Par. 2. Cha. 2d.* Against the Importing of *Irish* Victual, *&c.* with this Alteration, that all the said Victual shall be Sunk; and the Seazer in place of the Third thereof formerly allowed him, shall have the Vessel wherein the same is Imported thence, with the half of the Fines Imposed therefore, *Act* 14. *Par.* 1. *Sess.* 2. *Ja.* 7th.

Item, That no Horses, nor Cattel whatsoever, shall be Imported thence, under the Pain of Confiscation thereof; and the Sum of 100. *merks* for each Beast, by, and attour, the one half of both Beasts, and the half of the Fines shall belong to the Seazer; and the other to His Majesty. *Ibid.*

Item, That no Person Buy, or Reset Beasts that they know to be Imported out of *Ireland*, under the Pain of 100. *merks* for each Beast, besides the Confiscation thereof, to be applyed as said is; the said Importation being Pursued, and Instructed within six Months after. *Ibid.*

Item, The Act of Council Encouraging the Import of Victual; and Promising 20. *shilling per* Boll, for all that should be Imported betwixt and the First of *October*, 1696, Ratified and Approven, *Act* 27. *Sess.* 6. *Par.* 1. *K. W.*

Item, All Grain that shall be Exported out of the Kingdom after *Martinmas* 1696, shall be Free of any Dues formerly payable; And the Exporters shall have 8. *merks* for ilk Chalder thereof, when the Victual does not exceed the Prices mentioned in the Act, providing the same be done by *Scots* Men, or in *Scots* Ships, *Act* 32. *Sess.* 5. *Par.* 1. *K. W.*

VISITATION

VISITATION.

VIsitation Appointed of all Universitties, Colleges and Schools within the Kingdom, by the particular Persons appointed for that effect, *Act* 17. *Par.* 1. *Sess.* 2. *W.* and *M.*

VITIOUS INTROMETTORS.

IT is Declared, that the Neareſt of Kin, and others, Intromettors with the Moveables of Defuncts who are not Executors Confirmed to them, nor hath Right from the Executor Creditor, before their Intromiſſion, ſhall be lyable as Vitious-Intromettors, albeit there be a Third Party Confirmed Executor, in a particular Subject, *Act* 20. *Seſs.* 6. *Par.* 1. *K. W.*

W

WARD.

THat the Heirs of ſuch of their Majeſties Subjects holding, either of them, or any other Superior, as ſhall after the 22. of *July* 1690, (which is the Date of the Act) during the preſent War, be Slain, or hurt to Death in Military Service within Their Majeſties Dominions ſhall be free, and are Diſcharged thereby of the Burden and Duties of Ward, Relief, Marriage, and Nonentry falling there-through, *Act* 37. *Seſs.* 2. *Par.* 1. *W.* and *M.*

WAYS

WAYS and BRIDGES.

AN Ratification of former Acts for Repairing High-Ways, and Bridges; And for Effectuating thereof, the Commissioners of Supply are to meet with the Justices of Peace of the Shires, and to Act in the same manner, as they are Warranted to do by the former Acts, *Act* 8. *Par.* 1. *Sess.* 2 *Ja.* 7th.

Item, They are to choise their own Clerks, and Five to be a *Quorum*. *Ibid.*

Item, The first Dyet of Meeting to be the last *Wednesday* of *June*, 1686. *Ibid.*

Item, There are several Instructions for their manner of Conveening; Fineing of Absents; Application of the Fines of such Commissioners, and Justices, as shall be Absent from the Dyets of Meeting; and the Number of Days are prefixed for Working at the saids Reparations. *Ibid.*

WHITSUNDAY.

THat in the place of *Whitsunday* in all times coming, the Summer Term shall be the 15. Day of *May*; And the Winter Term *Martinmas*: And that the Term of Removing, both in Burgh, and Land, shall be the said 15. Day of *May*, upon the Warning of 40. Days preceeding the same, *Act* 39. *Par.* 1. *Sess.* 2. *W.* and *M.*

Item, That the 15. Day of *May*, shall in all time-coming be in place of the former Term of *Whitsunday*, to all Effects whatsomever, as well as for Removings, appointed formerly by the

39. Act

39. Act, 2*d.* Session of this Parliament, *Act* 25. *Par.* 1. *Sess.* 4. *W.* and *M.* dated *June* 12. 1693.

WITNESSES.

WItneſſes Cited, and refuſing to Depone in the caſes of Treaſon, Houſe or Field Conventicles, or Church Irregularities, ſhall be lyable as guilty of theſe Crimes reſpective; But their Dopoſitions emitted, ſhall not Militat againſt the Deponent himſelf any manner of way, *Act* 4. *Par.* 1. *Seſs.* 1. *Ja.* 7*th.*

In all Proceſſes before the Lords of Privy Council, Lords of Seſſion; or other Judges within the Kingdom, the Witneſſes adduced therein, ſhall be Examined in preſence of the Party, or their Advocats, they being preſent at the time; and their Teſtimonies are to be ſeen in the Clerks hands *Gratis*, before Adviſing, that they may have Coppies thereof, if they think fit, *Act* 18. *Par.* 1. *Seſs.* 2. *Ja.* 7*th.*

WRIGHTS. See MILE.

FINIS.

B L